



TASMANIA

HOUSE OF ASSEMBLY

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 16

TUESDAY, 12 OCTOBER 2021

- 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 PAPERS. – The Minister for Finance laid upon the Table of the House the following Paper:-
Draft Ministerial Direction under the Gaming Control Act 1993 in relation to Tasmania's harm minimisation framework.
- 6 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.
- 7 PAPERS. – The Premier laid upon the Table of the House the following Paper:-
COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice Under Section 17 - Electronic Matters.
- 8 PAPERS. – The Deputy Premier laid upon the Table of the House the following Paper:-
Ambulance Service Act 1982: Ambulance Service (Fees) Regulations 2021 (Statutory Rules 2021, No. 69).
- 9 PAPERS. – The Minister for Infrastructure and Transport laid upon the Table of the House the following Papers:-
 - (1) Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016: Strategic Infrastructure Corridors (Strategic and Recreational Use) (Derwent Valley Corridor from Third Avenue to Back River Road) Notice 2021 (Statutory Rules 2021, No.).
 - (2) COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice Under Section 20 – Magistrates Court.
 - (3) Crime (Confiscation of Profits) Act 1993: Crime (Confiscation of Profits) Amendment Regulations 2021 (Statutory Rules 2021, No. 67).
 - (4) Australian Consumer Law (Tasmania) Act 2010: Australian Consumer Law (Tasmania) Infringement Regulations 2021 (Statutory Rules 2021, No. 77).

10 PAPERS. – The Minister for Local Government and Planning laid upon the Table of the House the following Paper:

Huon Valley Council: Miscellaneous Amendments By-Law No. 1 of 2021.

11 PAPERS. – Mr *Street* laid upon the Table of the House the following Paper:-

Additional information provided to Estimates Committee A in respect of the Estimates of the Minister for Primary Industries and Water, Minister for Energy and Emissions Reduction, Minister for Resources and Minister for Trade.

12 PUBLIC WORKS, PARLIAMENTARY STANDING COMMITTEE ON: REPORTS BROUGHT UP.
– Mr *Tucker* brought up the following Reports of the Parliamentary Standing Committee on Public Works:

- (1) Bass Highway Upgrade – Wynyard to Marrawah (Paper No. 20).
- (2) New Bridgewater Bridge (Paper No. 22).
- (3) Royal Hobart Hospital Intensive Care Unit Expansion Project and Paediatric Outpatients Relocation Project (Paper No. 21).

Ordered, That the said Reports be received and printed. (Mr *Tucker*)

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

- (1) Tasmanian Audit Office: Report of the Auditor-General No. 2 of 2021-22 Council General Manager Recruitment, Appointment and Performance Assessment.
- (2) Parliamentary (Disclosure of Interests) Act 1996:
 - (a) Register of Interests for Members of the House of Assembly 2020-21; and
 - (b) Primary Return for the Member for Bass, Ms *Finlay*.

14 MESSAGE FROM HER EXCELLENCY THE GOVERNOR. – The Speaker read the following Message from Her Excellency the Governor:-

MESSAGE.

B. Baker, *Governor*.

A Bill for an Act for the appropriation of \$6,559,224,000 out of the Public Account for the services of the Government for the financial year ending on 30 June 2022 (Bill No. 36 (*Act No. 13 of 2021*))

A Bill for an Act for the appropriation of \$40,141,000 out of the Public Account for the services of the Government in respect of Parliament and Statutory Offices for the financial year ending on 30 June 2022 (Bill No. 37 (*Act No. 14 of 2021*))

having been presented to the Governor for the Royal Assent, she has, in the name and on behalf of Her Majesty the Queen, assented to the said Bills.

Government House, Hobart, 5 October 2021.

15 MESSAGE FROM HER EXCELLENCY THE GOVERNOR. – The Speaker read the following Message from Her Excellency the Governor:-

MESSAGE.

B. Baker, *Governor*.

A Bill for an Act to amend the Food Act 2003 (Bill No. 27 (*Act No. 12 of 2021*))

having been presented to the Governor for the Royal Assent, she has, in the name and on behalf of Her Majesty the Queen, assented to the said Bill.

Government House, Hobart, 5 October 2021.

16 BILL NO. 27. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Food Act 2003".

Legislative Council, 21 September 2021.

C.M. FARRELL, *President.*

17 BILL NO. 36. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council has agreed, without Request and without Amendment, to a Bill, intituled – “A Bill for an Act for the appropriation of \$6,559,224,000 out of the Public Account for the services of the Government for the financial year ending on 30 June 2022”,

now returns the same to the House of Assembly.

Legislative Council, 22 September 2021.

C.M. FARRELL, *President.*

18 BILL NO. 37. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council has agreed, without Request, to a Bill, intituled - "A Bill for an Act for the appropriation of \$40,141,000 out of the Public Account for the services of the Government in respect of Parliament and Statutory Offices for the financial year ending on 30 June 2022 ",

now returns the same to the House of Assembly

Legislative Council, 22 September 2021.

C.M. FARRELL, *President.*

19 BILL NO. 14. - A Message from the Legislative Council. -

MR SPEAKER

The Legislative Council having this day agreed, with Amendments, to a Bill, intituled – “A Bill for an Act to amend the Guardianship and Administration Act 1994”,

now returns the same to the House of Assembly, and requests its concurrence therein.

Legislative Council, 21 September 2021.

C.M. FARRELL, *President.*

Ordered, That the said Message be taken into consideration tomorrow. (The Minister for Infrastructure and Transport)

20 BILL NO. 45. – The Minister for Finance presented -

“A Bill for an Act to amend the Gaming Control Act 1993 and the TT-Line Gaming Act 1993”.

And Mr *Ferguson* having presented the said Bill, the Question was put – That the Bill be now read the First Time;

The House divided.

AYES 19

NOES 3

Mr Barnett

Ms Johnston

Ms Butler

Ms O'Connor

Ms Courtney

Dr Woodruff (Teller)

Ms Dow

Mr Ferguson

Ms Finlay

Mr Gutwein

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Street

Mr Tucker

Ms White

Mr Winter

Mr Ellis (Teller)

It was resolved in the Affirmative.

And the Bill was, accordingly read the First time and made an Order of the Day for tomorrow.

21 BILLS. – The Minister for Finance presented -

“A Bill for an Act to amend the Tasmanian Civil and Administrative Tribunal Act 2020” (Bill No. 46)

“A Bill for an Act to amend certain Acts and regulations, and to repeal or rescind certain Acts and regulations, consequential to the enactment of the Tasmanian Civil and Administrative Tribunal Amendment Act 2021” (Bill No. 47)

And *Mr Ferguson* having presented the said Bills, the same were read the First time and made Orders of the Day for tomorrow.

22 LEAVE TO MAKE MOTION WITHOUT NOTICE. – A Motion being made and the Question being proposed - That *Ms O'Connor* have leave to make a Motion without Notice. (*Ms O'Connor*)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 11

NOES 11

Ms Dow

Mr Barnett

Ms Finlay

Ms Courtney

Ms Haddad

Mr Ferguson

Ms Johnston

Mr Gutwein

Mr O'Byrne

Mr Jaensch

Ms O'Byrne

Ms Ogilvie

Ms O'Connor

Mrs Petrusma

Ms White

Mr Rockliff

Mr Winter

Mr Street

Dr Woodruff

Mr Tucker

Ms Butler (Teller)

Mr Ellis (Teller)

PAIRS

Dr Broad

Ms Archer

SPEAKER GIVES CASTING VOTE. – The Speaker said: “The numbers being equal, I cast my vote with the Noes”.

So it passed in the Negative.

23 MATTER OF PUBLIC IMPORTANCE: HOSPITAL SYSTEM’S PREPAREDNESS FOR COVID. – *Ms Dow*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Hospital System’s Preparedness for COVID.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

24 BILL NO. 35. - The Order of the Day being read for the Second reading of the Poisons Amendment Bill 2021.

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

A Debate arose thereupon.

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

26 BILL NO. 35. - And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

It was resolved in the Affirmative.

An the Bill was, accordingly, 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

27 BILL NO. 35. - 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 Poisons Act 1971”,
to which the House desires the concurrence of the Legislative Council.

House of Assembly, 12 October 2021.

MARK SHELTON, *Speaker*.

28 BILL NO. 43. - The Land (Miscellaneous Amendments) Bill 2021 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.

29 BILL NO. 43. - 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 Abandoned Lands Act 1973, the Associations Incorporation Act 1964, the Conveyancing and Law of Property Act 1884, the Conveyancing and Law of Property (Building Title Plans) Regulations 2012, the Homes Act 1935, the Land Acquisition Act 1993, the Land Titles Act 1980, the Land Titles Regulations 2012, the Local Government (Building and Miscellaneous Provisions) Act 1993, the Local Government (Highways) Act 1982, the Nature Conservation Act 2002, the Neighbourhood Disputes About Plants Act 2017, the War Service Land Settlement Act 1950 and the Wellington Park Act 1993”,

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

House of Assembly, 12 October 2021.

MARK SHELTON, *Speaker*.

30 BILL NO. 42. - The Order of the Day being read for the Second reading of the Mutual Recognition (Tasmania) Amendment Bill 2021.

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

A Debate arose thereupon.

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

Automatic Mutual Recognition (New South Wales) (Temporary Exemption – Various) Declaration 2021.

32 BILL NO. 42. - And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

It was resolved in the Affirmative.

An the Bill was, accordingly, 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

33 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 Mutual Recognition (Tasmania) Act 1993”,

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

House of Assembly, 12 October 2021.

MARK SHELTON, *Speaker*.

34 BILL NO. 40. - The Alcohol and Drug Dependency Repeal Bill 2021 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.

35 BILL NO. 40. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to repeal the Alcohol and Drug Dependency Act 1968 and to amend certain Acts, and rescind or revoke certain legislative instruments, consequent on that repeal”,

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

House of Assembly, 12 October 2021.

MARK SHELTON, *Speaker*.

36 ADJOURNMENT. – A Motion being made - That the House do now adjourn. (The Minister for Health)

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

The House adjourned at forty-one minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House*.

MEMBERS. - All present during the day except Ms *Archer* and Dr *Broad*.

The Minister for Sport and Recreation, Minister for Racing, Minister for Women and Minister for Small Business attended Question Time.