



HOUSE OF ASSEMBLY

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 15

WEDNESDAY, 19 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. – Mr *Johnston* presented a Petition from approximately 377 citizens of Tasmania, requesting that the House call on the Government to:
 - (1) Place a moratorium on all finfish farming expansion, including the plans for expansion in northern Tasmanian coastal waters in Commonwealth controlled waters of Bass Strait, until open, honest and comprehensive public consultation is completed;
 - (2) Fully consider all 68 recommendations of the Legislative Council Committee Inquiry into Finfish Farming in Tasmania; and
 - (3) Finalise a Salmon Industry Growth Plan.

Which Petition was read and received.

- 6 PETITION. – Mr *Johnston* presented an E-Petition from approximately 1140 citizens of Tasmania, requesting that the House call on the Government to:
 - (1) Place a moratorium on all finfish farming expansion, including the plans for expansion in northern Tasmanian coastal waters in Commonwealth controlled waters of Bass Strait, until open, honest and comprehensive public consultation is completed;
 - (2) Fully consider all 68 recommendations of the Legislative Council Committee Inquiry into Finfish Farming in Tasmania; and
 - (3) Finalise a Salmon Industry Growth Plan. (HA15/2022).

Which Petition was read and received.

- 7 PETITION. – Mr *Johnston* presented a Petition from approximately 297 citizens of Tasmania, requesting that the House call on the Government to:
 - (1) Implement all of the recommendations of the Report of the Legislative Council Committee Inquiry into Finfish Farming in Tasmania;
 - (2) Finalise an evidence-based, sustainable and consultative Salmon Industry Growth Plan; and
 - (3) Require the cessation of all salmon farming operations, as a matter of priority, within Long Bay (Port Arthur) and remediate the area.

Which Petition was read and received.

- 8 PETITION. – Mr *Johnston* presented an E-Petition from approximately 1287 citizens of Tasmania, requesting that the House call on the Government to:

- (1) Implement all of the recommendations of the Report of the Legislative Council Committee Inquiry into Finfish Farming in Tasmania;
- (2) Finalise an evidence-based, sustainable and consultative Salmon Industry Growth Plan; and
- (3) Require the cessation of all salmon farming operations, as a matter of priority, within Long Bay (Port Arthur) and remediate the area. (HA16/2022).

Which Petition was read and received.

9 PAPERS. – The Deputy Premier laid upon the Table of the House the following Paper:-

Taxi and Hire Vehicle Industries Act 2008: Taxi Industry Amendment (Remote Electronic Updates) Regulations 2022 (Statutory Rules 2022, No. 64)

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

Parliamentary (Disclosure of Interests) Act 1996: Variation Return for the Member for Franklin, Mr *Winter*.

11 BILL NO. 45. – The Minister for Justice presented -

“A Bill for an Act to amend the Legal Profession Act 2007”.

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

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

13 ADJOURNMENT. - *Ordered*, That the House, at its rising, adjourn till Tuesday, 25 October next. (The Deputy Premier)

14 MATTER OF PUBLIC IMPORTANCE: HOUSING DELIVERY. – Ms *Haddad* in accordance with Standing Orders, moved - That the House take note of the following matter:

Housing Delivery.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

15 WRONGFUL CONVICTIONS. – A Motion being made and the Question being proposed—
That the House:—

- (1) Agrees that:—
 - (a) a fair criminal trial must be conducted in accordance with the rule of law and our international human rights obligations;
 - (b) the integrity of the trial process is an essential pre-condition for any finding of guilt against an accused; and
 - (c) both Tasmania Police and the Office of Director of Public Prosecutions has a critical role in ensuring integrity and confidence in the criminal justice system before, during and after trial.
- (2) Acknowledges that:—
 - (a) sadly wrongful convictions will occur from time to time in all criminal justice systems; and

- (b) where wrongful convictions have occurred in many Australian jurisdictions a common response from public authorities has been denial, delay and obfuscation.
- (3) Further agrees:—
 - (a) as a matter of legal principle that the Crown has a duty of disclosure to the Court with regard to false or misleading evidence, or incorrect submissions that extends to an obligation to make inquiries to ascertain if such disclosable material exists, and that duty extends beyond the trial into both the appeal and post-appeal periods; and
 - (b) that the Parliament has the ultimate responsibility to make laws and to ensure that the law is effectively and fairly applied to all citizens. (Ms *Johnston*)

A debate arose thereupon.

Amendments proposed (Dr *Woodruff*)

First Amendment

By leaving out paragraph (2) and inserting instead:

“(2) Acknowledges that sadly wrongful convictions will occur from time to time in all criminal justice systems”

Second Amendment

In paragraph 3, by leaving out subparagraph (b) and inserting instead:

“(b) that the Parliament has the ultimate responsibility to make laws, and to support the courts to independently ensure the law is effectively and fairly applied to all citizens.”

A debate arose thereupon.

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

It passed in the Negative.

And the Main Question being put;

The House proceeded to divide.

And the Deputy Speaker, after appointing the Tellers, having ascertained that there was not at least one Member supporting the Teller for the Ayes, Ms *Johnston*, declared in favour of the Noes.

16 SUSPENSION OF SITTING. - At One o'clock the Speaker left the Chair.

At half-past Two o'clock the Speaker resumed the Chair.

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

18 BILL NO. 20. - 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 Vehicle and Traffic Act 1999 and the Traffic Act 1925".

Legislative Council, 19 October 2022.

C.M. FARRELL, *President.*

19 BILL NO. 43. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Tuesday, 18 October 2022 - That the Justice and Related Legislation Miscellaneous Amendments Bill 2022 be now read the Second time;

And the Question being again proposed;

The House resumed the said adjourned Debate.

And the Minister for Justice was addressing the Chair.

20 TASNETWORKS INFRASTRUCTURE UPGRADES. – A Motion being made and the Question being proposed—That the House:—

- (1) Acknowledges that:—
 - (a) Tasmanian farmers and producers have contributed more than \$2 billion annually to the State in gross farm gate value; and
 - (b) prime agricultural land has been developed around existing TasNetwork's infrastructure for decades, including shelterbelts, dairies, wool sheds and irrigation infrastructure.
- (2) Notes:—
 - (a) TasNetworks has proposed it will decommission existing transmission line infrastructure once the North-West line has been upgraded so that Tasmania can supply electricity to the national grid through Marinus Link;
 - (b) the upgrade of the transmission line infrastructure proposed by TasNetworks is creating stress and anxiety for many primary producers who are trying to plan for their futures; and
 - (c) that farmers should be compensated fairly by TasNetworks for the disruption any upgrades to existing infrastructure will have on a primary producer's business, land and biosecurity.
- (3) Calls on the Premier, Hon *Jeremy Rockliff*, MP to:—
 - (a) clearly outline and reassure primary producers that he and the Minister for Primary Industries and Water, Hon. *Jo Palmer*, MLC are acting in their best interest;
 - (b) give primary producers assurances the Government will act to ensure that contemporary contracts are used to provide ongoing compensation. The compensation should take into account, as an example, the value of the land, the productivity of the land and the number of towers on the land; and
 - (c) protect prime agricultural land so that our primary producers can continue to positively contribute to the State Government's vision of a \$10 billion industry by 2050. (Ms *Finlay*)

A debate arose thereupon.

Amendment proposed (The Minister for Energy and Renewables)

By leaving out paragraphs (2) and (3) and inserting instead the following: -

- (2) Notes: -
 - (a) the North West Transmission Developments are critical to support and progress the proposed Marinus Link interconnector and deliver on our vision to achieve our Renewable Energy Target of 200 per cent of 2020 electricity generation by 2040;
 - (b) the North West Transmission Developments are of strategic importance to Tasmania's renewable energy future and underpin significant economic opportunities for the State, as well as helping to transform Tasmania into the smartest, cleanest and most innovative State;
 - (c) the North West Transmission Developments will unlock our low-cost dispatchable hydro capacity, pumped hydro storage, and high quality wind resources. They are essential to enable Marinus Link, Battery of the Nation, and our emerging green hydrogen sector;

- (d) there are some concerns in the community about the North West Transmission Developments – which are large scale infrastructure projects with complex and long delivery processes; and
 - (e) the North West Transmission Developments will require environmental, planning and heritage assessments and approvals from the responsible permitting authorities across all levels of government.
- (3) Notes the Government: -
- (a) will ensure TasNetworks continues to provide opportunities for consultation and input by landowners, the Tasmanian Farmers and Graziers Association, and the community during the design and approvals for the North West Transmission Developments, with a view to minimising the impact of transmission line developments on agriculture.
 - (b) considers compensation frameworks should be fair, equitable and contemporary, including in relation to any additional easements that may be required to facilitate the North West Transmission Developments.
 - (c) is already working with other jurisdictions in the National Energy Market to improve approaches to community consultation on transmission line developments and to develop a contemporary framework for landowner compensation payments.

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

The House divided.

AYES 11

NOES 11

Ms Archer

Ms Butler

Mr Barnett

Ms Dow

Mr Ellis

Ms Finlay

Mr Ferguson

Ms Haddad

Mr Jaensch

Ms Johnston

Ms Ogilvie

Mr O'Byrne

Mr Rockliff

Ms O'Byrne

Mr Shelton

Ms O'Connor

Mr Tucker

Ms White

Mr Wood

Dr Woodruff

Mr Young (Teller)

Mr Winter (Teller)

PAIRS

Mr Street

Dr Broad

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 Ayes.'

It was resolved in the Affirmative.

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

Resolved, That the House:-

- (1) Acknowledges that:—
 - (a) Tasmanian farmers and producers have contributed more than \$2 billion annually to the State in gross farm gate value; and

- (b) prime agricultural land has been developed around existing TasNetwork's infrastructure for decades, including shelterbelts, dairies, wool sheds and irrigation infrastructure.
- (2) Notes: -
 - (a) the North West Transmission Developments are critical to support and progress the proposed Marinus Link interconnector and deliver on our vision to achieve our Renewable Energy Target of 200 per cent of 2020 electricity generation by 2040;
 - (b) the North West Transmission Developments are of strategic importance to Tasmania's renewable energy future and underpin significant economic opportunities for the State, as well as helping to transform Tasmania into the smartest, cleanest and most innovative State;
 - (c) the North West Transmission Developments will unlock our low-cost dispatchable hydro capacity, pumped hydro storage, and high quality wind resources. They are essential to enable Marinus Link, Battery of the Nation, and our emerging green hydrogen sector;
 - (d) there are some concerns in the community about the North West Transmission Developments – which are large scale infrastructure projects with complex and long delivery processes; and
 - (e) the North West Transmission Developments will require environmental, planning and heritage assessments and approvals from the responsible permitting authorities across all levels of government.
- (3) Notes the Government: -
 - (a) will ensure TasNetworks continues to provide opportunities for consultation and input by landowners, the Tasmanian Farmers and Graziers Association, and the community during the design and approvals for the North West Transmission Developments, with a view to minimising the impact of transmission line developments on agriculture;
 - (b) considers compensation frameworks should be fair, equitable and contemporary, including in relation to any additional easements that may be required to facilitate the North West Transmission Developments; and
 - (c) is already working with other jurisdictions in the National Energy Market to improve approaches to community consultation on transmission line developments and to develop a contemporary framework for landowner compensation payments.

21 GOVERNMENT SPENDING PRIORITIES. – A Motion being made and the Question being proposed—That the House:—

- (1) Understands Tasmanian ambulance response times are the worst in the nation due to under resourcing and unsustainable pressure.
- (2) Notes:—
 - (a) every year thousands of Tasmanians are waiting in pain on the elective surgery waitlist for months or years longer than medically recommended; and
 - (b) more than 4,400 people are on the Housing Tasmania waitlist, rents are soaring and homelessness is increasing.
- (3) Agrees that while Tasmania deserves its own AFL team, that bid should not be connected to a new stadium.
- (4) Acknowledges Tasmania has two stadiums, Bellerive Oval and York Park, that are fit for purpose and currently, successfully hosting AFL and AFLW games.
- (5) Condemns:—
 - (a) the Rockliff Government for choosing to spend more than \$350 million in public funding on an unnecessary mega-stadium, over Tasmanians in need; and
 - (b) the Liberals for minimising the planned Truth and Reconciliation Art Park - which would acknowledge 40,000 years of Tasmanian Aboriginal culture and the atrocities of colonisation.
- (6) Further acknowledges with shame the Liberals' stadium plan also requires massive Federal Government funding.

- (7) Calls on the Labor Opposition to step up, put its money where its mouth is, and lobby the Albanese Government not to fund the Rockliff Liberals' mega-stadium folly. (Ms *O'Connor*)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 3

Ms Johnston
Dr Woodruff
Ms O'Connor (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 Young
Mr Wood (Teller)

So it passed in in the Negative.

22 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 forty-eight 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.