



HOUSE OF ASSEMBLY

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 24

THURSDAY, 11 NOVEMBER 2021

- 1 The House met at Twelve o'clock noon.
- 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. - Dr *Woodruff* presented a Petition from approximately 684 residents of Tasmania, requesting that the House call on the Government to facilitate the removal of Castle Forbes Forest from the Permanent Timber Production Zone, or otherwise permanently exclude it from logging operations. (HA20/2021)

Which Petition was read and received.

- 6 PETITION. - Dr *Woodruff* presented an E-Petition from approximately 730 residents of Tasmania, requesting that the House call on the Government to facilitate the removal of Castle Forbes Forest from the Permanent Timber Production Zone, or otherwise permanently exclude it from logging operations. (HA19/2021)

Which Petition was read and received.

- 7 PAPERS. - The Minister for Finance laid upon the Table of the House the following Paper:-
Payroll Tax Act 2008: Payroll Tax (Pandemic) Order 2021 (Statutory Rules 2021, No. 80).
- 8 PAPERS. - The Attorney-General laid upon the Table of the House the following Paper:-
Parole Board of Tasmania: Annual Report 2020-2021.
- 9 PAPERS. - The Minister for Parks laid upon the Table of the House the following Paper:-
Wellington Park Management Trust: Annual Report 2020-2021.
- 10 BILL NO. 60. - The Minister for Justice presented -

"A Bill for an Act to amend the Justices Act 1959 and other justice-related legislation".

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

- 11 BILLS. - Ms *O'Connor* presented -

“A Bill for an Act to amend the Tasmanian Civil and Administrative Tribunal Act 2020 to require public exhibition of amended development applications and to allow further representors to be appointed as parties to an appeal” (Bill No. 62)

“A Bill for an Act to amend the Electoral Act 2004 to introduce electoral expenditure limits for Assembly Elections, as well as regulation of political donations, electoral expenditure, third party electoral activities, electoral advertising, and related matters” (Bill No. 61)

And Ms *O'Connor* having presented the said Bills, the same were read the First time and made Orders of the Day for tomorrow.

12 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That the Minister for Infrastructure and Transport have leave to make a Motion without Notice. (The Minister for Infrastructure and Transport)

13 ADJOURNMENT. - *Ordered*, That the House, at its rising, adjourn till Tuesday, 23 November next. (The Minister for Infrastructure and Transport)

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

Integrity.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

15 BILL NO. 52. - The Justices (Validation) 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.

16 BILL NO. 52. - 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 Justices Act 1959 and to validate certain summonses and warrants”,

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

House of Assembly, 11 November 2021.

MARK SHELTON, *Speaker*.

17 BILL NO. 59. - The Repeal of Regulations Postponement 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.

18 BILL NO. 59. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to postpone the repeal of the Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998”,

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

House of Assembly, 11 November 2021.

MARK SHELTON, *Speaker*.

19 BILL NO. 55. - The Order of the Day being read for the Second reading of the Waste and Resource Recovery Bill 2021.

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

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 15

NOES 9

Ms Archer

Dr Broad

Mr Barnett

Ms Butler

Ms Courtney

Ms Dow

Mr Ellis

Ms Finlay

Mr Ferguson

Ms Haddad

Mr Gutwein

Mr O’Byrne

Mr Jaensch

Ms O’Byrne

Ms Johnston

Ms White

Ms O’Connor

Mr Winter (Teller)

Mrs Petrusma

Mr Rockliff

Mr Shelton

Mr Tucker

Dr Woodruff

Ms Ogilvie (Teller)

It was resolved in the Affirmative.

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)

Mr Ellis took the Chair.

Clause 1 to 10 agreed to.

Clause 11 read.

Amendment proposed (Dr *Woodruff*)

Page 15, subsection (4).

Leave out the subsection.

Insert instead the following subsection:

- “(4) In appointing a member of the Board under subsection (2)(a), the Minister is to ensure that the member –
- (a) has skill, experience and knowledge in one or more of the following matters:
 - (i) waste management;
 - (ii) remote area waste management;
 - (iii) resource recovery;
 - (iv) industry development;
 - (v) regional development;
 - (vi) finance;
 - (vii) public sector administration;
 - (viii) risk management;
 - (ix) corporate governance;
 - (x) a particular function, or vocational interest, that is relevant to the functions of the Board; and
 - (b) is able to make a contribution to the functions of the Board.”

Question put - That the Amendment be agreed to;

It passed in the Negative.

Clause 11, as read, agreed to.

Clauses 12 to 18 agreed to.

Clause 19 read.

Amendment proposed (Dr *Woodruff*)

Page 25, subsection (2), paragraph (b), after “public comment”.

Insert “, for a period not less than one month,”.

Question put - That the Amendment be agreed to;

The Committee divided.

AYES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

NOES 21

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Courtney
Ms Dow
Mr Ferguson
Ms Finlay
Mr Gutwein
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Mr Tucker
Ms White
Mr Winter
Ms Ogilvie (Teller)

So it passed in the Negative.

Clause 19 as read, agreed to.

Clauses 20 to 59 agreed to.

Schedule 1 agreed to.

Schedule 2 read.

Amendment proposed (*Dr Woodruff*)

Page 74, schedule 2, clause 7, subclause (2), paragraph (a), after “present during”.

Insert “, or participate in,”.

Question put - That the Amendment be agreed to;

It passed in the Negative.

Schedule 2, as read, agreed to.

Schedule 3 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The House being resumed, Mr *Ellis* 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.

20 BILL NO. 55. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to encourage the diversion of waste from landfill, increase the recovery of resources from waste, impose a levy on waste received at a landfill facility and provide for a rebate in relation to that levy in certain circumstances, provide for standards and guidelines to be made in relation to landfill and resource recovery facilities, establish the Tasmanian Waste and Resource Recovery Board, and for related purposes”,

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

House of Assembly, 11 November 2021.

MARK SHELTON, *Speaker*.

21 BILL NO. 53. - The Education Legislation Amendments (Education Regulation) Bill 2021 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)

Mr *Ellis* took the Chair.

Clauses 1 to 145 agreed to.

Clause 146 read.

Amendment proposed (Ms *O’Byrne*)

In proposed new Section 6, subsection (4), paragraph (a), subparagraph (i)

Add the following new subparagraph after subparagraph (B):

“(C) Current and ongoing teaching skills and experience”.

Question put - That the Amendment be agreed to;

It passed in the Negative.

Clause 146, as read, agreed to.

Clauses 147 to 185 agreed to.

Title agreed to.
Bill to be reported without Amendment.

The House being resumed, Mr *Ellis* 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. 53. - 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 Education Act 2016, the Education and Care Services National Law (Application) Act 2011, the Office of Tasmanian Assessment, Standards and Certification Act 2003, the Teachers Registration Act 2000, the Training and Workforce Development Act 2013, the Vocational Education and Training (Commonwealth Powers) Act 2011 and associated statutory rules”,

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

House of Assembly, 11 November 2021.

MARK SHELTON, *Speaker*.

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

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

24 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Franklin, Dr *Woodruff*, to withdraw from the House for the remainder of the sitting owing to repeated interjections.

The House adjourned at seventeen minutes past Eight o'clock.

SHANE DONNELLY, *Clerk of the House*.

MEMBERS. - All present during the day.