



HOUSE OF ASSEMBLY

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 28

TUESDAY, 10 SEPTEMBER 2019

- 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 DISTINGUISHED VISITORS. – The Speaker said “I welcome to the Chamber the Speaker of the Legislative Assembly of Western Australia, Hon Peter Watson MLA, and the Sergeant-at-Arms, Dr Isla Macphail.”
- 5 STATEMENT BY SPEAKER. – The Speaker made the following statement:

“Last week, the Leader of the Opposition made public statements that were clearly a reflection on the role of the Speaker. Any reflection on the character or actions of the Speaker inside or outside the House is highly disorderly. A fundamental tenet of parliamentary practice is that any Speaker's actions may only be criticised by a substantive motion moved in the House. I ask that all Members of this House think carefully about using the role of the Speaker to make their political points and ask them to also reflect carefully on the code of conduct that all members of the Tasmanian Parliament have signed.

This states that a Member must observe proper standards of parliamentary conduct by complying with the Standing Orders and the directions of the Presiding Officer. There is a range of options available to me in my role as Speaker. I have determined to not take those options but instead have written to the Leader of the Opposition and have asked her, consistent with precedent, to withdraw her comments at the first available opportunity today and to apologise for them.

I ask that the Leader of the Opposition now do so, so that the matter can be concluded without any unnecessary escalation and the House returns to its business.”

And the Honourable Member for Lyons, Ms *White*, withdrew the comments referred to.
- 6 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice commenced.
- 7 PAPERS. – The Minister for Housing laid upon the Table of the House the following Paper:-

Agreement Between the Commonwealth and Tasmania – Waiver of Outstanding Housing Related Loans.
- 8 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.
- 9 PAPERS. – The Treasurer laid upon the Table of the House the following Paper:-

Environmental Management and Pollution Control Act 1994: Environmental Management and Pollution Control (Smoke) Regulations 2019 (Statutory Rules 2019, No. 34).

10 PAPERS. – The Minister for Health laid upon the Table of the House the following Papers:-

Department of Health:

- (a) Tasmanian Health Service 2019-20 Service Plan; and
- (b) Revised Tasmanian Health Service 2019-20 Service Plan (August 2019).

11 BILL NO. 37. – The Minister for Environment, Parks and Heritage presented -

“A Bill for an Act to protect State waters from pollution by oil and other substances, to give effect to certain parts of the MARPOL Convention, and for related purposes”.

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

12 BILL NO. 36. – The Minister for Justice presented -

“A Bill for an Act to amend the Civil Liability Act 2002 in relation to the liability of organisations for child abuse and to amend the Limitation Act 1974 in relation to settlements of certain actions in respect of child abuse, and for related purposes”.

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

13 BILL NO. 38. – The Minister for Primary Industries and Water presented -

“A Bill for an Act to establish the Place Names Advisory Panel, to make provision for the naming and registration of certain place names in Tasmania, to wind up the Nomenclature Board and to consequentially amend other Acts”.

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

14 MATTER OF PUBLIC IMPORTANCE: CUTS TO HEALTH. - Ms *Dow*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Cuts to Health.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

15 BILL NO. 27. - The Order of the Day being read for the Second reading of the Magistrates Court (Criminal and General Division) Bill 2019.

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

A Debate arose thereupon.

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 BILL NO. 27. – And the Question being again proposed;

The House resumed the Debate.

Ordered, That the speaking time of the Attorney-General be extended by 15 minutes. (Ms *Haddad*)

And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

It was resolved in the Affirmative.

And 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.

18 BILL NO. 27. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to establish a criminal and general division of the Magistrates Court, to provide for the conduct of proceedings in that division and to provide for related matters”,

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

House of Assembly, 10 September 2019.

SUE HICKEY, *Speaker*.

19 BILL NO. 28. - The Magistrates Court (Criminal and General Division) (Consequential Amendments) Bill 2019 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.

20 BILL NO. 28. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to consequentially amend certain Acts on the enactment of the Magistrates Court (Criminal and General Division) Act 2019”,

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

House of Assembly, 10 September 2019.

SUE HICKEY, *Speaker*.

21 BILL NO. 29. – The Restraint Orders Bill 2019 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.

22 BILL NO. 29. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to provide for the issue and enforcement of restraint orders and for related purposes”,

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

House of Assembly, 10 September 2019.

SUE HICKEY, *Speaker.*

23 BILL NO. 26. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Tuesday, 3 September 2019 - That the Roads and Jetties Amendment (Works in Highways) Bill 2019 be now read the Second time;

And the Question being again proposed;
The House resumed the said adjourned Debate.

And the Question being put;
Ordered, That the Bill be now read the Second time.

And 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.

24 BILL NO. 26. - 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 Roads and Jetties Act 1935”,

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

House of Assembly, 10 September 2019.

SUE HICKEY, *Speaker.*

25 BILL NO. 25. - The Order of the Day being read for the Second reading of the Roads and Jetties Amendment (Validation) Bill 2019.

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

A Debate arose thereupon.

And Mrs *Rylah* was addressing the Chair.

26 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-six minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House.*

MEMBERS. - All present during the day.