



HOUSE OF ASSEMBLY

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 17

WEDNESDAY, 13 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 were asked.
- 5 PAPERS. – The Minister for Infrastructure and Transport laid upon the Table of the House the following Papers:-
 - (1) Metro: Annual Report 2020-21.
 - (2) TASRAIL: Annual Report 2020-21.
- 6 PAPERS. – The Deputy Premier laid upon the Table of the House the following Papers:-
 - (1) Poisons Act 1971: Poisons Amendment Regulations (No. 2) 2021 (Statutory Rules 2021, No.).
 - (2) Health Act 1997: Health (Fees) Amendment Regulations 2021 (Statutory Rules 2021, No.).
- 7 PAPERS. – The Minister for Primary Industries and Water laid upon the Table of the House the following Paper:-

Living Marine Resources Management Act 1995: Fisheries (Rock Lobster Management Plan) Order 2021.
- 8 BILL NO. 48. – The Premier presented -

“A Bill for an Act to establish Stadiums Tasmania to oversee the sound use, management and development of major public stadiums and related assets in Tasmania 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.
- 9 BILL NO. 49. – The Minister for Justice presented -

“A Bill for an Act to enable the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to be given effect within Tasmania 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.

10 MATTER OF PUBLIC IMPORTANCE: ENERGY SECURITY. – Mr *Winter*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Energy Security.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

11 BILL NO. 14. - The House, according to Order, proceeded to take into consideration the Amendments made by the Legislative Council to the Guardianship and Administration Amendment (Advance Care Directives) Bill 2021.

(In the Committee)

The Chair of Committees took the Chair.

Amendments

Clause 15.

First amendment

Page 38, proposed new section 35I, subsection (5), paragraph (e) after “has a”.

Insert “known”.

Second amendment

Same page, same proposed new section, same subsection, paragraph (f).

Leave out that paragraph.

Insert instead the following paragraph:

- (f) if the person, as a result of his or her position in a hospital, hospice, nursing home or other facility, has a direct or indirect ability to control or influence the care and management of the person giving the advance care directive who is resident at that facility; or

Amendments agreed to.

Resolution to be reported.

The House being resumed, Mr *Street* reported that the Committee had considered the Amendments to it referred, and had come to a certain Resolution which was read as follows:-

To agree to the Amendments of the Legislative Council.

Resolved, That the said Resolution be agreed to. (The Minister for Justice)

12 BILL NO. 14. - A message to the Legislative Council:-

MR PRESIDENT

The House of Assembly doth agree to the Amendments made by the Legislative Council to the Bill intituled-

“A Bill for an Act to amend the Guardianship and Administration Act 1995”.

House of Assembly, 13 October 2021.

MARK SHELTON, *Speaker.*

13 BILL NO. 39. - The Order of the Day being read for the Second reading of the Validation Bill 2021.

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 the Minister for Justice was addressing the Chair.

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

15 WORKPLACE PROTECTION LEGISLATION. – A Motion being made and the Question being proposed—That the House:—

- (1) Recognises that the majority Liberal Government remains committed to protecting Tasmanian workers and businesses ensuring they can lawfully go to work without threats and disruptions from extremist protesters.
- (2) Notes, that the Liberals have always stood firm in fighting for the rights of Tasmanians to work and earn a living for their families.
- (3) Further notes, that Tasmanians have had enough of the radical extremists invading workplaces, threatening and endangering staff.
- (4) Further notes, that the Workplace Protection Amendment Bill, will be released for public consultation over coming weeks.
- (5) Acknowledges that the Workplace Amendment Bill will reflect the Government's commitment to protect both Tasmanians' right to work and the right to free speech.
- (6) Further notes that this Bill is Labor's chance to show their support for Tasmanian workers. (Mr *Ellis*)

A debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

16 MENTAL HEALTH. – A Motion being made and the Question being proposed—That the House:—

- (1) Recognises 9 – 16 October 2021, is National Mental Health Week.
- (2) Acknowledges that:—
 - (a) half of all lifelong mental health problems begin before the age of 14;
 - (b) half of Australian kids with mental illness aren't getting timely professional help;
 - (c) one in ten young people aged 12-17 years old will self-harm, one in 13 will seriously consider a suicide attempt and one in 40 will attempt suicide;
 - (d) suicide continues to be a leading cause of death for young Australians; and
 - (e) three out of 5 school age children in Tasmania identify mental health as a growing problem.
- (3) Agrees that early intervention is crucial in helping prevent mental illness later on in life.

- (4) Notes that the report of the Commissioner for Children and Young People’s Wellbeing Consultations, ‘We call it happy’, concluded that as part of a more responsive education system participants wanted “Improved and more available school-based support services (mental health, social work, counsellors)”.
- (5) Further notes that:—
- (a) the average wait to see a school psychologist in Tasmania is four months for assessment and three weeks for intervention, with many students waiting significantly longer;
- (b) there are just 69 school psychologists employed across the entire state, meaning there is one school psychologists for every 890 students enrolled; and
- (c) the staff to student ratio for social workers is one for every 1,025 students.
- (6) Further agrees that Tasmanian children and young people deserve better.
- (7) Calls on the Liberal Government to recruit mental health workers to all Tasmanian state primary and high schools by July 2023. (Ms Dow)

A debate arose thereupon.

An Amendment was proposed by Ms *Ogilvie*

- (1) In paragraph (6) by leaving out “better” and inserting instead “more access to mental health support and services”.
- (2) To leave out paragraph (7).

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

The House divided.

AYES 11

NOES 11

Mr *Barnett*

Dr *Broad*

Ms *Courtney*

Ms *Dow*

Mr *Ferguson*

Ms *Finlay*

Mr *Gutwein*

Ms *Johnston*

Mr *Jaensch*

Mr *O’Byrne*

Ms *Ogilvie*

Ms *O’Byrne*

Mrs *Petrusma*

Ms *O’Connor*

Mr *Rockliff*

Ms *White*

Mr *Street*

Mr *Winter*

Mr *Tucker*

Dr *Woodruff*

Mr *Ellis* (Teller)

Ms *Butler* (Teller)

PAIRS

Ms *Archer*

Ms *Haddad*

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

It was resolved in the Affirmative.

And the Main Question, as amended, being put;

It was resolved in the Affirmative.

Resolved, That the House:—

- (1) Recognises 9 – 16 October 2021, is National Mental Health Week.
- (2) Acknowledges that:—
 - (a) half of all lifelong mental health problems begin before the age of 14;
 - (b) half of Australian kids with mental illness aren't getting timely professional help;
 - (c) one in ten young people aged 12-17 years old will self-harm, one in 13 will seriously consider a suicide attempt and one in 40 will attempt suicide;
 - (d) suicide continues to be a leading cause of death for young Australians; and
 - (e) three out of 5 school age children in Tasmania identify mental health as a growing problem.
- (3) Agrees that early intervention is crucial in helping prevent mental illness later on in life.
- (4) Notes that the report of the Commissioner for Children and Young People's Wellbeing Consultations, 'We call it happy', concluded that as part of a more responsive education system participants wanted "Improved and more available school-based support services (mental health, social work, counsellors)".
- (5) Further notes that:—
 - (a) the average wait to see a school psychologist in Tasmania is four months for assessment and three weeks for intervention, with many students waiting significantly longer;
 - (b) there are just 69 school psychologists employed across the entire state, meaning there is one school psychologists for every 890 students enrolled; and
 - (c) the staff to student ratio for social workers is one for every 1,025 students.
- (6) Further agrees that Tasmanian children and young people deserve more access to mental health support and services.

17 NATIVE FORESTS MANAGEMENT. – A Motion being made and the Question being proposed—That the House:—

- (1) Acknowledges the paper "Fire risk and severity decline with stand development in Tasmanian giant Eucalyptus forest", by authors James Furlaud, Lynda Prior, Grant Williamson and David Bowman published in *Forest Ecology and Management*, issue 502, 2021.
- (2) Understands the paper assesses how fuels, microclimate, and resulting fire risk and potential fire severity changed among four stand-development stages from regrowth to old forests.
- (3) Accepts the paper's findings that:—
 - (a) later development forests had a significantly moister understorey, an increased abundance of rainforest trees, and more vertically discontinuous fuels, resulting in a significantly reduced fire risk;
 - (b) high-severity fire was much more likely to occur in forests in the early-stages of growth; and
 - (c) intensive disturbance creates large areas of regrowth stands with increased risk of high-severity fire, which increases the likelihood of landscape-wide, demographic collapse.
- (4) Agrees with the paper's recommendation that these findings challenge assumptions about the fire regime of Tasmania's native wet eucalypt forests and indicates the need to update the approach to their management.
- (5) Calls on the Government to prioritise community safety and update the approach to the management of our native forests accordingly. (*Dr Woodruff*)

A debate arose thereupon.

18 PAPERS. – *Dr Woodruff, by leave*, laid upon the Table of the House the following Paper:-

Document titled “Fire risk and severity decline with stand development in Tasmanian giant Eucalyptus forest”.

19 NATIVE FORESTS MANAGEMENT. – And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

The House divided.

AYES 3

Ms Johnston

Ms O'Connor

Dr Woodruff (Teller)

NOES 20

Mr Barnett

Dr Broad

Ms Courtney

Ms Dow

Mr Ellis

Mr Ferguson

Ms Finlay

Mr Gutwein

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Shelton

Mr Tucker

Ms White

Mr Winter

Ms Butler (Teller)

So it passed in the Negative.

20 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 half-past Six o'clock.

SHANE DONNELLY, *Clerk of the House.*

MEMBERS. - All present during the day.

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