



HOUSE OF ASSEMBLY

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 59

TUESDAY, 18 AUGUST 2020

- 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 RESIGNATION OF MEMBER. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House
Hobart, Tasmania
27 July 2020

The Honourable Sue Hickey MP
Speaker of the House of Assembly,
Parliament House,
Hobart TAS 7000

Dear Madam Speaker,

I have received a letter dated 27 July 2020 from Mrs Joan *Rylah* MP tendering her resignation as a Member for Braddon in the House of Assembly.

I have instructed the Electoral Commissioner to proceed in accordance with the provisions of Part 9 of the Electoral Act 2004.

Yours sincerely,

C. WARNER, *Governor*

- 5 ELECTION OF MEMBER. – The Speaker informed the House that the following communication had been received from Her Excellency the Governor:-

Government House,
Hobart, Tasmania
17 August 2020

The Honourable Sue Hickey MP
Speaker of the House of Assembly,
Parliament House,
Hobart TAS 7000

Dear Madam Speaker,

I send herewith the Certificate of the Electoral Commissioner stating that a recount has been held under the provisions of Part 9 of the Electoral Act 2004 to fill the vacancy in the Division of Braddon caused by the resignation of Mrs *Joan Rylah*.

Following the recount of the resigned member's ballot papers, Mr *Felix Ellis* has been elected to fill the vacancy. The election takes effect from today.

Yours sincerely,

C. WARNER, *Governor*

6 MEMBER SWORN. – *Felix Ashton Ellis*, Member for the Division of Braddon took and subscribed to the Oath.

7 MEMBER SUBSCRIBES TO THE CODE OF CONDUCT. – *Felix Ashton Ellis*, Member for the Division of Braddon subscribed to the Code of Conduct.

8 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice commenced.

9 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Clark, Ms *Ogilvie*, to withdraw from the House for thirty minutes owing to repeated interjections.

10 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.

11 PAPERS. – The Premier laid upon the Table of the House the following Papers:-

(1) COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020:

(a) Notice under Section 23 (Land Tax Act 2000); and

(b) Notice under Section 13 (Gaming Control Act 1993).

(2) Answer to Question on Notice: No.72 of 2019.

12 PAPERS. – The Attorney-General laid upon the Table of the House the following Papers:-

(1) COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020:

(a) Notice Under Section 18 (Supreme Court Civil Procedure Act 1932 - Supreme Court Rule Committee);

(b) Notice Under Section 20 (Resource Management and Planning Appeal Tribunal Act 1993); and

(c) Notice Under Section 22 (Residential Tenancy Act 1997 – Extension of Emergency Period).

- (2) COVID-19 Disease Emergency (Commercial Leases) Act 2020: COVID-19 Disease Emergency (Commercial Leases) Regulations 2020 (Statutory Rules 2020, No. 50).
- (3) Australian Consumer Law (Tasmania) Act 2010: Australian Consumer Law (Tasmania) (Code of Practice for Fuel Price Reporting) Regulations 2020 (Statutory Rules 2020, No.).

13 PAPERS. – The Minister for Primary Industries and Water laid upon the Table of the House the following Papers:-

- (1) COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice Under Section 23 (Mineral Resources Development Act 1995 – waiving of certain fees).
- (2) Land Acquisition Act 1993 – Notice of Acquisition under Section 18:
 - (i) Dated 11 June 2020, land situate in the Town of Llandaff, Municipal Area of Glamorgan-Spring Bay, Lot 1 on Plan of Survey 178794, registered in the names of Jeffrey Green and Robert Green for road purposes;
 - (ii) Dated 11 June 2020, land situate in the Town of Llandaff, Municipal Area of Glamorgan-Spring Bay, Lot 2 on Plan of Survey 178794, registered in the names of Lester John Donges and Collette Joan Van Dieren for road purposes;
 - (iii) Dated 11 June 2020, land situate in the Town of Sorell, Municipal Area of Sorell, Lot 100 on Plan of Survey 179029, registered in the name of Stewards Foundation of Christian Brethren for road purposes;
 - (iv) Dated 3 June 2020, land situate in the Parish of Monmouth, Land District of Melville, Municipal Area of Brighton, Lot 1 on Plan of Survey 178981, registered in the names of Bruce Algernon Norman and Valerie Elaine Norman for land purposes; and
 - (v) Dated 1 June 2020, land situate in the Town of Sorell, Municipal Area of Sorell, Lot 100 on Plan of Survey 179028, registered in the names of Jens Jorgen Pedersen and Marjory Janette Pedersen for road purposes.
- (3) Water Management Act 1999: Water Management Amendment Regulations 2020 (Statutory Rules 2020, No. 38).

14 PAPERS. – The Minister for Infrastructure and Transport laid upon the Table of the House the following Papers:-

- (1) Rail Safety National Law: Rail Safety National Law National Regulations (Fees and Other Measures) Variation Regulations 2020.
- (2) Rail Safety National Law (South Australia) Act 2012: Rail Safety National Law (South Australia) (Rail Safety Work) Amendment Act 2020.
- (3) COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice under Section 23 (Vehicle and Traffic Act 1999 - Motor Tax 2020-21).

15 PAPERS. – The Minister for Local Government laid upon the Table of the House the following Papers:-

- (1) Land Acquisition Act 1993 – Notice of Acquisition under section 18:
 - (i) Dated 22 May 2020, land situate in the Parish of Perth, Town of Perth, Municipal Area of Northern Midlands, Lot 1 on Plan of Survey 179011, registered in the names of Graeme John Semmens and Julie Anne Semmens for drainage and stormwater retention purposes; Dated 22 May 2020, land

situate in the Parish of Perth, Town of Perth, Municipal Area of Northern Midlands, Lot 6 on Plan of Survey P179011, registered in the name of Peter Leonard Dennis for drainage and stormwater retention purposes; and

- (ii) Dated 17 June 2020, land situate in the Location of Brighton, Municipal Area of Brighton, Lot 100, Folio 9, Register Volume 21976, registered in the names of Thomas Toh Mik Chin and Janet Chin for highway widening purposes.

(2) Local Government Act 1993:

- (a) Glamorgan Spring Bay Council: Environmental Health By-Law No. 1 of 2019; and
- (b) Devonport City Council: Street Trading By-Law No. 1 of 2020.

(3) Dog Control Act 2000: Dog Control Amendment Regulations 2020 (Statutory Rules 2020, No. 45).

16 PUBLIC ACCOUNTS, PARLIAMENTARY STANDING COMMITTEE OF: REPORTS. – Mr *Tucker* brought up the following Reports of the Parliamentary Standing Committee of Public Accounts:

- (1) Review of Selected 2013 Public Works Committee Reports (Paper No. 20).
- (2) Review of Auditor-General's Reports No. 8 of 2015-16 Provision of Social Housing and No. 11 of 2015-16 Compliance with Legislation (Paper No. 21).
- (3) Review of Auditor-General's Reports No. 12 of 2013-14 Quality of Metro Services; No. 3 of 2014-15 Motor Vehicle Fleet Management in Government Departments; No. 11 of 2013-14 Compliance with the Alcohol, Tobacco and other Drugs Plan 2008-13 (Paper No. 22).

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

17 SUBORDINATE LEGISLATION, PARLIAMENTARY STANDING COMMITTEE ON: REPORTS. – Mr *Tucker* brought up the following Reports of the Parliamentary Standing Committee on Subordinate Legislation:

- (1) Inquiry into the Fisheries (Rock Lobster) Amendment Rules 2019 (S.R. 2019, No. 62) (Paper No. 12).
- (2) Scrutiny of Notices Issued under the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Report No. 9 (Paper No. 23).
- (3) Scrutiny of Notices Issued under the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Report No. 10 (Paper No. 24).
- (4) Scrutiny of Notices Issued under the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Report No. 11 (Paper No. 26).
- (5) Inquiry into the Winnaleah Irrigation District By-Laws 2019 (Paper No. 25).

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

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

MESSAGE.

C. WARNER, *Governor*.

A Bill for an Act to amend the Land Tax Act 2000 (Bill No. 22 (*Act No. 14 of 2020*))

A Bill for an Act to encourage and assist in supporting the building industry by providing for the payments of grants to home owners to facilitate the building of new homes and the substantial renovation of existing homes in certain circumstances (Bill No. 23 (*Act No. 15 of 2020*))

A Bill for an Act to amend the Land Use Planning and Approvals Act 1993, the Electricity Supply Industry Act 1995 and the Water and Sewerage Industry Act 2008 (Bill No. 21 (*Act No. 16 of 2020*))

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, 6 July 2020.

19 BILL NO. 28. – The Minister for Justice presented -

“A Bill for an Act to provide for the protection of the community from persons who have committed offences involving violence, or an element of violence, and who are declared to be dangerous criminals, or who have committed serious offences and are determined to be at a high risk of committing further serious offences, to amend various enactments consequent upon the enactment of this Act, 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.

20 BILL NO. 29. – The Minister for Human Services presented -

“A Bill for an Act to amend the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020.”

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

21 BILL NO. 26. – The Minister for Planning presented -

“A Bill for an Act to amend the Land Use Planning and Approvals Act 1993 to provide for major projects and for related purposes and, consequential on those amendments, the Environmental Management and Pollution Control Act 1994 and the Historic Cultural Heritage Act 1995.”

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

22 SESSIONAL ORDERS: RESCISSION OF RESOLUTION. – A Motion being made and the Question being proposed – That the House in accordance with Standing Order 94, rescinds the following Resolutions:—

- (1) Tuesday, 17 March 2020 – *Resolved*, That for the remainder of this Session:—
 - (1) Standing Order 18, paragraph (*a*) be amended by leaving out “be at Six o’clock p.m.” and insert instead “be no later than 5.25 p.m. on Tuesdays and Thursdays; and 2:30 p.m. on Wednesdays”.
 - (2) Standing Order 119 be amended by leaving out “in the Member’s place”.
 - (3) Standing Order 76 be suspended.
- (2) Thursday, 30 April 2020 – *Resolved*, That for the remainder of this Session:—
 - (*a*) Standing Order 18, paragraphs (*d*) and (*e*) be suspended and the following paragraph be inserted instead:—
 - (*d*) When the House adjourns in accordance with paragraph (*b*) of this Standing Order or the adjournment is moved in accordance with paragraph (*c*) of this Standing Order:—
 - (*i*) the Speaker shall call speakers on the COVID-19 Emergency Matter of Public Importance. Members may speak to such matter for seven minutes each and the debate shall not exceed thirty-five minutes; and

- (ii) following the conclusion of any debate under subparagraph (i), the Speaker shall then call for adjournment speakers, when any Member may speak to any matter for seven minutes. After these issues have been debated for a maximum period of one hour, the House shall stand adjourned, without Question being put, until the next sitting day.
- (b) Sessional Order 18A be amended, by taking out “Six o’clock p.m.” and insert “the time prescribed for the adjournment in Standing Order 18 (a)”. (The Minister for Infrastructure and Transport)

A debate arose thereupon.

An Amendment was proposed by the Minister for Infrastructure and Transport, in paragraph (1) by leaving out subparagraph (2).

A debate arose thereupon.

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

It was resolved in the Affirmative.

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

It was resolved in the Affirmative.

Resolved, That the House in accordance with Standing Order 94, rescinds the following Resolutions:—

- (1) Tuesday, 17 March 2020 – *Resolved*, That for the remainder of this Session:—
 - (1) Standing Order 18, paragraph (a) be amended by leaving out “be at Six o’clock p.m.” and insert instead “be no later than 5.25 p.m. on Tuesdays and Thursdays; and 2:30 p.m. on Wednesdays”.
 - (3) Standing Order 76 be suspended.
- (2) Thursday, 30 April 2020 - *Resolved*, That for the remainder of this Session:—
 - (a) Standing Order 18, paragraphs (d) and (e) be suspended and the following paragraph be inserted instead:—
 - “(d) When the House adjourns in accordance with paragraph (b) of this Standing Order or the adjournment is moved in accordance with paragraph (c) of this Standing Order:—
 - (i) the Speaker shall call speakers on the COVID-19 Emergency Matter of Public Importance. Members may speak to such matter for seven minutes each and the debate shall not exceed thirty-five minutes; and
 - (ii) following the conclusion of any debate under subparagraph (i), the Speaker shall then call for adjournment speakers, when any Member may speak to any matter for seven minutes. After these issues have been debated for a maximum period of one hour, the House shall stand adjourned, without Question being put, until the next sitting day.
 - (b) Sessional Order 18A be amended, by taking out “Six o’clock p.m.” and insert “the time prescribed for the adjournment in Standing Order 18 (a)”.

23 MATTER OF PUBLIC IMPORTANCE: BORDER CONTROL MEASURES. – Ms *White*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Border Control Measures.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

24 MINISTERIAL STATEMENT: COVID-19 RESPONSE. – The Premier made a Statement to the House in relation to the COVID-19 Response.

25 MINISTERIAL STATEMENT NOTED. – A Motion was made and the Question proposed – That the Ministerial Statement made by the Premier be noted. (Ms *White*)

A debate arose thereupon.

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

27 MINISTERIAL STATEMENT NOTED. – And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

It was resolved in the Affirmative.

28 BILL NO. 20. - The Biosecurity (Consequential and Transitional Provisions) Bill 2020 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. 20. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to amend certain legislation consequent on the commencement of the Biosecurity Act 2019 and the repeal, under that Act, of certain other Acts”,

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

House of Assembly, 18 August 2020.

SUE HICKEY, *Speaker*.

30 BILL NO. 6. - The Architects Amendment Bill 2020 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.

31 BILL NO. 6. - 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 Architects Act 1929”,

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

House of Assembly, 18 August 2020.

SUE HICKEY, *Speaker.*

32 BILL NO. 8. - The Order of the Day being read for the Second reading of the Vehicle and Traffic Amendment (Road Vehicle Standards) Bill 2020.

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.

33 PAPERS. – The Minister for Infrastructure and Transport laid upon the Table of the House the following Paper:

Media Release dated 5 October 2017 from Rene Hidding, Minister for Police Fire and Emergency Management, titled “National bio-facial fraud prevention initiative” .

34 BILL NO. 8. - And the Question being again proposed;

The House resumed the 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.

35 BILL NO. 8. - 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 Vehicle and Traffic Act 1999, the Motor Vehicle Traders Act 2011 and the Taxi and Hire Vehicle Industries Act 2008 and various regulations”,

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

House of Assembly, 18 August 2020.

SUE HICKEY, *Speaker.*

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

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

37 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 day’s sitting owing to repeated interjections.

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

SHANE DONNELLY, *Clerk of the House.*

MEMBERS. - All present during the day.