



HOUSE OF ASSEMBLY

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 22

TUESDAY, 9 NOVEMBER 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 commenced.
- 5 PAPERS. - Ms *O'Connor*, *by leave*, laid upon the Table of the House a document relating to nature-based tourism and protection of native forests.
- 6 QUESTIONS SEEKING INFORMATION. - Questions without notice continued and concluded.
- 7 PETITION. - Ms *Johnston* presented an E-Petition from approximately 1036 residents of Tasmania, requesting that the House call upon the Government to defer all wind farm developments in Tasmania, until world's best practice is adopted by the EPA Board and an updated Threatened Tasmanian Eagles Recovery Plan is finalised. (HA18/2021)

Which Petition was read and received.

- 8 PAPERS. - The Deputy Premier laid upon the Table of the House the following Papers:-
 - (1) Public Health Act 1997: Guidelines for Notifying Coronavirus Disease 2019 (COVID-19) containing legal requirements for laboratories.
 - (2) Health Service Establishments Act 2006: Health Service Establishments Regulations 2021 (Statutory Rules 2021, No. 76).
- 9 PAPERS. - The Minister for Infrastructure and Transport laid upon the Table of the House the following Papers:-
 - (1) Taxi and Hire Vehicle Industries Act 2008:
 - (a) Taxi Industry Amendment Regulations 2021 (Statutory Rules 2021, No. 70); and
 - (b) Luxury Hire Car Industry Amendment Regulations 2021 (Statutory Rules 2021, No. 71).
 - (2) Vehicle and Traffic Act 1999: Vehicle and Traffic (Driver Licensing and Vehicle Registration) Amendment Regulations (No. 4) 2021 (Statutory Rules 2021, No. 75).
- 10 PAPERS. - The Attorney-General laid upon the Table of the House the following Papers:-
 - (1) The Anti-Discrimination Tribunal: Annual Report 2020-2021.

- (2) The Health Practitioners Tribunal: Annual Report 2020-2021.
- (3) The Motor Accidents Compensation Tribunal: Annual Report 2020-2021.
- (4) Commissions of Inquiry Act 1995: Commissions of Inquiry Regulations 2021 (Statutory Rules 2021, No.)
- (5) Department of Justice: Expungement of Historical Offences Act 2017: Annual Report 2020-2021.
- (6) Director of Public Prosecutions: Annual Report 2020-2021.
- (7) Solicitor-General: Annual Report 2020-2021.
- (8) Asbestos Compensation Commissioner: Annual Report 2020-2021.
- (9) The Asbestos Compensation Tribunal: Annual Report 2020-2021.
- (10) The Workers Rehabilitation and Compensation Tribunal: Annual Report 2020-2021.

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

- (1) Keystone Tasmania: Annual Report 2020-2021.
- (2) Independent Inquiry into the Tasmanian Department of Education’s Responses to Child Sexual Abuse – Final Report – 7 June 2021.
- (3) Department of Education: Response to Independent Inquiry into the Tasmanian Department of Education’s Responses to Child Sexual Abuse.

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

Land Acquisition Act 1993 (Notice of Acquisition pursuant to Section 18):

- (i) Dated 30 September 2021, land situate in, Parish of York, Land District of Monmouth, Municipal Area of Southern Midlands, Lot 6 ,7 and 8 on Plan of Survey P181370, registered in the name of Charles Stenhouse Burbury for road purposes;
- (ii) Dated 30 September 2021, land situate in, Parish of Bath, Land District of Monmouth, Parish of York, Land District of Monmouth, Municipal Area of Southern Midlands, Lots 9, 10, 11, 12, 13, 14 and 15 on Plan of Survey P181370, registered in the name of Lovely Banks Pty Ltd, Elizabeth Mary McShane for road purposes;
- (iii) Dated 30 September 2021, land situate in, Parish of Bath, Land District of Monmouth, Parish of York, Land District of Monmouth, Municipal Area of Southern Midlands, Lot 4 on Plan of Survey P181370, registered in the names of Elizabeth Mary McShane and Gerard Michael McShane for road purposes;
- (iv) Dated 30 September 2021, land situate in, Parish of Bath, Land District of Monmouth, Municipal Area of Southern Midlands, Lot 18 on Plan of Survey P181370, registered in the name of Nancy Amanda Bray for road purposes;
- (v) Dated 30 September 2021, land situate in, Parish of Bath, Land District of Monmouth, Municipal Area of Southern Midlands, Lot 16 and 17 on Plan of Survey P181370, registered in the name of Wayne Nicholas Maxwell Webb for road purposes; and
- (vi) Dated 30 September 2021, land situate in, Parish of Somerton, Land District of Monmouth, Parish of Spring Hill, Land District of Monmouth, Municipal Area of Southern Midlands, Lot 1, 2 and 3 on Plan of Survey P181370, registered in the names of Lovely Banks Pty Ltd, Elizabeth Mary McShane for road purposes.

13 PUBLIC ACCOUNTS, PARLIAMENTARY STANDING COMMITTEE OF: REPORTS BROUGHT UP. – Mr *Street* brought up the following Reports of the Parliamentary Standing Committee of Public Accounts:-

- (1) Annual Report 2020-21. (Paper No. 26).
- (2) Review of the Auditor-General Report No. 4 of 2016-17: Event Funding. (Paper No. 31).

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

14 PUBLIC WORKS, PARLIAMENTARY STANDING COMMITTEE ON: REPORT BROUGHT UP. – Ms *Ellis* brought up the following Report of the Parliamentary Standing Committee on Public Works:

Mersey Community Hospital – Theatres and Outpatient Clinics Redevelopment Project (Paper No. 30).

Ordered, That the said Report be received and printed. (Mr *Ellis*)

15 SUBORDINATE LEGISLATION, JOINT STANDING COMMITTEE ON: REPORTS BROUGHT UP. – Mr *Ellis* brought up the following Reports of the Joint Standing Committee on Subordinate Legislation:

- (1) Annual Report 2020-21.
- (2) Report No. 17 – Scrutiny of Notice issued under Section 20 of the COVID-19 Emergency (Miscellaneous Provisions) Act 2020 (Guardianship and Administration Board) and Scrutiny of Notice Issued Under Section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Resource Management and Planning Appeal Tribunal). (Paper No. 24)

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

16 PAPERS. – The Clerk of the House laid upon the Table of the House the following Papers:-

- (1) Office of the Governor: Annual Report 2020-21.
- (2) Tasmanian Audit Office: Report of the Auditor-General No. 3 of 2021-22 – Covid-19 - Response to social impacts, 9 November 2021.

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

MESSAGE.

Barbara Baker, *Governor*.

A Bill for an Act to amend the Guardianship and Administration Act 1995 (Bill No. 14 (*Act No. 15 of 2021*))

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 Bill.

Government House, Hobart, 3 November 2021.

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

MESSAGE.

Barbara Baker, *Governor*.

A Bill for an Act to amend the Tasmanian Civil and Administrative Tribunal Act 2020 (Bill No. 46 (*Act No. 17 of 2021*))

A Bill for an Act to amend certain Acts and regulations, and to repeal or rescind certain Acts and regulations, consequential to the enactment of the Tasmanian Civil and Administrative Tribunal Amendment Act 2021 (Bill No. 47 (*Act No. 18 of 2021*))

A Bill for an Act to amend the Guardianship and Administration Act 1995, the Industrial Relations Act 1984, the Justices of the Peace Act 2018, the Legal Profession Act 2007, the Mental Health Act 2013 and the Workers Rehabilitation and Compensation Act 1988, so as to validate certain appointments, actions and decisions purportedly made under those Acts, and to amend certain provisions of the Industrial Relations Act 1984 in relation to the appointment of members of the Tasmanian Industrial Commission and to provide for certain transitional arrangements in relation to such amendments (Bill No. 39 (*Act No. 19 of 2021*))

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, 5 November 2021.

19 BILL NO. 58. – The Minister for Primary Industries and Water presented -

“A Bill for an Act to amend the Living Marine Resources Management Act 1995”.

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

20 BILLS. – The Attorney-General presented -

“A Bill for an Act to amend the Justices Act 1959 and to validate certain summonses and warrants” (Bill No. 52)

"A Bill for an Act to postpone the repeal of the Fair Trading (Code of Practice for Retail Tenancies) Regulations 1998" (Bill No 59)

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

21 LEAVE TO MAKE MOTIONS WITHOUT NOTICE. - *Ordered*, That the Minister for Infrastructure and Transport have leave to make certain Motions without Notice. (The Minister for Infrastructure and Transport)

22 SITTING TIMES. - *Ordered*, That for this week’s sittings the House not stand adjourned at Six o’clock and that the House continue to sit past Six o’clock. (The Minister for Infrastructure and Transport)

23 ADJOURNMENT. - *Ordered*, That the House, at its rising on Wednesday 10 November next, adjourn till Thursday 11 November next at Twelve o’clock noon. (The Minister for Infrastructure and Transport)

24 SUSPENSION OF STANDING ORDERS. - *Ordered*, That for Thursday 11 November next, Standing Order 19 be suspended. (The Minister for Infrastructure and Transport)

25 MATTER OF PUBLIC IMPORTANCE: BUILDER AND CONSUMER PROTECTION. –Ms *Butler* in accordance with Standing Orders, moved - That the House take note of the following matter:

Builder and Consumer Protection.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

26 BILL NO. 48. - The Order of the Day being read for the Second reading of the Stadiums Tasmania Bill 2021.

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

A Debate arose thereupon.

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

28 BILL NO. 48. - 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.

29 BILL NO. 48. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled "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",

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

House of Assembly, 9 November 2021.

MARK SHELTON, *Speaker*.

30 BILL NO. 57. - The Traffic Amendment (Personal Mobility Devices) 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.

31 BILL NO. 57. - 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 Traffic Act 1925",

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

House of Assembly, 9 November 2021.

MARK SHELTON, *Speaker*.

32 BILL NO. 43. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Abandoned Lands Act 1973, the Associations Incorporation Act 1964, the Conveyancing and Law of Property Act 1884, the Conveyancing and Law of Property (Building Title Plans) Regulations 2012, the Homes Act 1935, the Land Acquisition Act 1993, the Land Titles Act 1980, the Land Titles Regulations 2012, the Local Government (Building and Miscellaneous Provisions) Act 1993, the Local

Government (Highways) Act 1982, the Nature Conservation Act 2002, the Neighbourhood Disputes About Plants Act 2017, the War Service Land Settlement Act 1950 and the Wellington Park Act 1993”.

Legislative Council, 9 November 2021.

C.M. FARRELL, President.

33 BILL NO. 26. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Living Marine Resources Management Act 1995 and the Fishing (Licence Ownership and Interest) Registration Act 2001”.

Legislative Council, 9 November 2021.

C.M. FARRELL, President.

34 BILL NO. 56. - The Order of the Day being read for the Second reading of the TasTAFE (Skills and Training Business) Bill 2021.

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

A Debate arose thereupon.

35 LEAVE TO EXTEND A MEMBER’S SPEAKING TIME. – *Ordered*, That the Minister for Skills, Training and Workforce Growth have an extension of speaking time of ten minutes. (The Minister for Police, Fire and Emergency Management)

36 BILL NO. 56. - And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

The House divided.

AYES 12

NOES 12

Ms Archer

Dr Broad

Mr Barnett

Ms Dow

Ms Courtney

Ms Finlay

Mr Ferguson

Ms Haddad

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)

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 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.

37 BILL NO. 56. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to continue TasTAFE as an organisation to provide vocational education and training that benefits the Tasmanian community by contributing to the Tasmanian economy and providing skilled workers for the Tasmanian workforce”,

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

House of Assembly, 9 November 2021.

MARK SHELTON, *Speaker*.

38 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;

The House adjourned at nine minutes past Eight 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.