



HOUSE OF ASSEMBLY

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 14

TUESDAY, 18 OCTOBER 2022

- 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 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Clark, Ms *O'Connor*, to withdraw from the House for the remainder of Question Time owing to repeated interjections.
- 6 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.
- 7 PAPERS. – The Minister for Parks laid upon the Table of the House the following Papers:-

Land Acquisition Act 1993: Notice of Acquisition under Section 18:

- (i) Dated 4 August 2022, land situate in the City of Glenorchy, Municipal Area of Glenorchy, Lot 1 on Plan of Survey 49703 registered in the name of Glenorchy City Council for road purposes;
- (ii) Dated 4 August 2022, land situate in the Town of Bridgewater, Municipal Area of Brighton, Lot 1 on Plan of Survey 176824 registered in the name of Brighton Council for road purposes; and
- (iii) Dated 4 August 2022, land situate in the Town of Bridgewater, Municipal Area of Brighton, Lot 1 on Plan of Survey 210652 registered in the name of Brighton Council for road purposes.

- 8 PUBLIC WORKS, PARLIAMENTARY STANDING COMMITTEE ON: REPORT BROUGHT UP. – Mr *Wood* brought up the following Report of the Parliamentary Standing Committee on Public Works:

Major Redevelopment of Cosgrove High School (Paper No. 29).

Ordered, That the said Report be received. (Mr *Wood*)

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

Parliamentary (Disclosure of Interests) Act 1996:

- (1) Register of Interests for Members of the House of Assembly 2021-22;
- (2) Annual Return for the Member for Franklin, Dr *Woodruff*, received on 5 October 2022, together with email communications regarding the same; and
- (3) Variation Return for the Member for Franklin, Mr *Young*.

10 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 Statutory Holidays Act 2000 to provide for a statutory holiday for a National Mourning to pay respect for the passing of Her Majesty, Queen Elizabeth II (Bill No. 40 (*Act No. 24 of 2022*))

A Bill for an Act to establish Homes Tasmania, to promote the development of affordable housing, to enable the provision of housing assistance to, and improve the housing conditions of, eligible persons, to support the provision of affordable housing, housing support services and community support services to persons who require such housing or services, to assist in the formation of policy in relation to housing, and for related purposes (Bill No. 35 (*Act No. 25 of 2022*))

A Bill for an Act to amend various legislative instruments consequent on the enactment of the Homes Tasmania Act 2022 (Bill No. 36 (*Act No. 26 of 2022*))

having been presented to the Governor for the Royal Assent, she has, in the name and on behalf of His Majesty the King, assented to the said Bills.

Government House, Hobart, 17 October 2022.

11 BILL NO. 46. – The Minister for Environment and Climate Change presented -

“A Bill for an Act to amend the Environmental Management and Pollution Control Act 1994”.

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

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

Health.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

13 BILL NO. 11. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Thursday, 29 September 2022 - That the Electricity Safety Bill 2022 be now read the Second time;

And the Question being again proposed;

The House resumed the said adjourned Debate.

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 BILL NO. 11 – And the Question being again proposed.

The House resumed the Debate.

16 LEAVE TO EXTEND A MEMBER'S SPEAKING TIME. – *Ordered*, That the Minister for Workplace Safety and Consumer Affairs have an extension of speaking time of twenty minutes. (Ms Butler)

17 BILL NO. 11. – 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 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)

Mrs *Alexander* took the Chair.

Clauses 1 to 2 agreed to.

Clause 3 read.

Amendment proposed (Ms *Butler*)

Page 21, definition of “responsible supplier”, paragraph (a), after “New Zealand, that”.
Insert “complies with the relevant Australian Standards and”.

Question put – That the Amendment be agreed to;

The Committee divided.

AYES 9

NOES 13

Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms White
Mr Winter
Ms Butler (Teller)

Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms O'Connor
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Tucker
Mr Young
Dr Woodruff
Mr Wood (Teller)

PAIRS

Dr Broad

Mr Street

So it passed in the Negative.

Clause 3 further considered.

Amendment proposed (*Ms Butler*)

Page 22, definition of “responsible supplier”, paragraph (b), after “New Zealand, that”.

Insert “complies with the relevant Australian Standards and”.

Question put – That the Amendment be agreed to;

It passed in the Negative.

Clause 3 further considered.

Amendment proposed (*Ms Butler*)

Page 23, definition of “serious electrical accident”.

Leave out “an accident involving”.

Insert instead “an accident that is a notifiable incident within the meaning of the *Work Health and Safety Act 2012* and that involves”.

The Chair of Committees took the Chair.

Question put – That the Amendment be agreed to;

It passed in the Negative.

Clause 3 further considered.

Amendment proposed (*Ms Butler*)

Page 23, after the definition of “serious electrical accident”.

Insert the following definition:

"take all reasonable steps", in relation to a person ensuring the safe supply of electricity, or that electricity infrastructure or an electrical installation is safe and safely operated or maintained in a safe condition, means that which is, or was, at a particular time, reasonably able to be done to ensure such safety, taking into account and weighing up all relevant matters, including, but not limited to including –

- (a) the likelihood of a risk to safety occurring; and
- (b) the degree of harm that might result from the risk to safety occurring; and
- (c) what the person concerned knows, or ought reasonably to know, about the risk to safety occurring and ways of eliminating or minimising the risk; and
- (d) the availability and suitability of ways to eliminate or minimise the risk; and
- (e) after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether that cost is grossly disproportionate to the risk.

Question put – That the Amendment be agreed to;

The Committee divided.

AYES 9

NOES 13

Ms Butler

Mrs Alexander

Ms Dow

Ms Archer

Ms Finlay

Mr Barnett

Ms Haddad

Mr Ellis

Ms Johnston

Mr Ferguson

Mr O'Byrne

Mr Jaensch

Ms O'Connor

Ms O'Connor

Ms White

Ms Ogilvie

Dr Broad (Teller)

Mr Rockliff

Mr Shelton

Dr Woodruff

Mr Young

Mr Wood (Teller)

PAIRS

Mr Winter

Mr Street

So it passed in the Negative.

Clause 3, as read, agreed to.

Clauses 4 to 8 agreed to.

Clause 9 read.

Amendment proposed (*Ms Butler*)

Page 27, paragraph (e), after "approved authorities".

Insert " , relevant employee and employer organisations".

Question put – That the Amendment be agreed to;

It passed in the Negative.

Clause 9, as read, agreed to.

Clauses 10 to 14 agreed to.

Clause 15 read.

Amendment proposed (*Ms Butler*)

Page 32, subclause (2), after “consult with”.

Insert “relevant employee and employer organisations and”.

Question put – That the Amendment be agreed to;

The Committee divided.

AYES 11

Dr Broad
Ms Butler
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff
Ms Finlay (Teller)

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Young
Mr Wood (Teller)

PAIRS

Ms Dow

Mr Street

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: 'The numbers being equal, in accordance with Standing Order 257 I cast my vote with the Noes.'

So it passed in the Negative.

Clause 15, as read, agreed to.

Clause 16 read.

Amendment proposed (*Ms Butler*)

Page 33, subclause (2), after “consult with”.

Insert “relevant employee and employer organisations and”.

Question put – That the Amendment be agreed to.

It passed in the Negative.

Clause 16, as read, agreed to.

Clauses 17 to 113 agreed to.

Clause 114 read.

Amendment proposed (Ms *Butler*)

Page 124, subclause (2).

Leave out all the words after “at any time”.

Question put – That the Amendment be agreed to;

It passed in the Negative.

Clause 114, as read, agreed to.

Clauses 115 and 116 agreed to.

Clause 117 read.

Amendments proposed (Ms *Butler*)

First amendment

Page 126, paragraph (b).

Leave out “premises; and”.

Insert instead “premises.”

Second amendment

Page 126, paragraph (c).

Leave out the paragraph.

Question put – That the Amendments be agreed to;

It passed in the Negative.

Clause 117, as read, agreed to.

Clauses 118 to 182 agreed to.

Schedules 1 & 2 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The House being resumed, Mr *Tucker* reported that the Committee had gone through the Bill, and had directed him to report the same to the House without Amendment.

Question put – That the Bill now be read a third time.

The House divided.

AYES 13

NOES 9

Mrs Alexander

Dr Broad

Ms Archer

Ms Butler

Mr Barnett

Ms Dow

Mr Ellis

Ms Haddad

Mr Ferguson

Ms Johnston

Mr Jaensch

Mr O'Byrne

Ms O'Connor

Ms O'Byrne

Ms Ogilvie

Mr Winter

Mr Rockliff

Ms Finlay (Teller)

Mr Shelton

Mr Tucker

Dr Woodruff

Mr Young (Teller)

PAIRS

Mr Street

Ms White

It was resolved in the Affirmative.

Ordered, That the Bill be now read the Third time.

And the Bill was, accordingly, read the Third time.

18 BILL NO. 11. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled "A Bill for an Act to regulate electricity infrastructure, electrical installations, electrical equipment, and certain activities near electricity infrastructure and electrical installations; to provide for safety and related technical standards that ensure that the electricity infrastructure, electrical installations and electrical equipment are safe, designed, maintained and managed in a manner that protects persons and property; to amend the Electricity Supply Industry Act 1995; to repeal the Electricity Industry Safety and Administration Act 1997 and for related purposes",

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

House of Assembly, 18 October 2022.

MARK SHELTON, *Speaker*.

19 BILL NO. 5. - The Traffic Amendment (Electronic Billboards) Bill 2022 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. 5. - 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, 18 October 2022.

MARK SHELTON, *Speaker.*

21 BILL NO. 43. - The Order of the Day being read for the Second reading of the Justice and Related Legislation Miscellaneous Amendments Bill 2022.

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 Ms *Haddad* was addressing the Chair.

22 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 Seven o'clock.

SHANE DONNELLY, *Clerk of the House.*

MEMBERS. - All present during the day except Mr *Street*.

The Minister for Primary Industries and Water, Minister for Disability Services, Minister for Women and Minister for the Prevention of Family Violence attended Question Time.