



**HOUSE OF ASSEMBLY**  
**SESSION OF 2018**  
**(FIRST SESSION OF THE FORTY-NINTH PARLIAMENT)**

**VOTES AND PROCEEDINGS**

No. 32

WEDNESDAY, 21 NOVEMBER 2018

- 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 research officers from the Parliament of Samoa, who the Parliament is hosting this week through the United Nations Development Programme as part of Parliament's twinning relationship with the Parliament of Samoa."
- 5 **STATEMENT BY SPEAKER.** - The Speaker said "Honourable Members, I have a statement to make to the House. As I have indicated very clearly to the House previously I have guaranteed support for a majority Liberal Government for the term of this Parliament on matters of supply and confidence. That remains the case.

I also indicated at the outset that on all other matters I will consider my position on legislation on the merits of the argument, which is what I did yesterday. Nothing has changed with my position. The Liberal Government was elected with a mandate to deliver on its plan and I have voted with the Government on every piece of legislation in its plan to deliver on its agenda. Whilst I may have disagreed with the Government on social issues debated yesterday my guarantee on supply and confidence remains in place and there is no minority Government."

- 6 **QUESTIONS SEEKING INFORMATION.** - In accordance with Standing Order No. 43, Questions without notice were asked.
- 7 **PAPERS.** - The Treasurer laid upon the Table of the House the following Paper:-  
  
Local Government Act 1993: Local Government (General) Amendment Regulations (No. 3) 2018.
- 8 **PAPERS.** - The Deputy Premier laid upon the Table of the House the following Paper:-  
  
Answer to Question on Notice No. 7 of 2018.
- 9 **PAPERS.** - The Minister for Primary Industries and Water laid upon the Table of the House the following Papers:-
  - (1) NRM North: Yearbook and Annual Report 2017-2018.
  - (2) NRM South: Annual Report 2017-2018.
  - (3) Cradle Coast Authority Natural Resource Management: Annual Report 2017-2018.

**10** PAPERS. – The Minister for Resources laid upon the Table of the House the following Paper:-

The Workers Rehabilitation & Compensation Tribunal: Annual Report 2017/2018.

**11** BILL NO. 58. – The Minister for Health presented -

“A Bill for an Act to amend the Ambulance Service Act 1982, the Disability Services Act 2011, the Health Act 1997, the Mental Health Act 2013, the Pharmacy Control Act 2001, the Poisons Act 1971, the Right to Information Act 2009 and the Youth Justice Act 1997.”

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

**12** BILL NO. 60. – The Minister for Environment presented -

“A Bill for an Act to amend the Litter Act 2007.”

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** MATTER OF PUBLIC IMPORTANCE: HEALTH - Ms *White* 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.

**14** BILL NO. 43. – The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Wednesday, 17 October 2018 – That the Mental Health Amendment Bill 2018 be now read the Second time;

The House resumed the said adjourned Debate.

And the Question being put;

*Ordered*, that the Bill be 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.

**15** BILL NO. 43. - 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 Mental Health Act 2013”,

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

*House of Assembly, 21 November 2018.*

*SUE HICKEY, Speaker.*

**16** BILL NO. 40. - The Order of the Day being read for the Second reading of the Gas Industry Bill 2018.

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

A Debate arose thereupon.

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

**18** PRIVATE MEMBERS BUSINESS. - In accordance with Standing Order 42, Mr *Hidding* indicated that the time for Government Private Members' Business for this day would be waived.

**19** SITTING TIMES. - *Ordered*, Pursuant to Sessional Order 18A that for this day's sitting the House not stand adjourned at Six o'clock and that the House continue to sit past Six o'clock. (The Minister for Health)

**20** BILL NO. 40. - 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.

**21** BILL NO. 40. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled "A Bill for an Act to regulate gas activities, to repeal the Gas Act 2000 and the Gas Pipelines Act 2000, and for related purposes",

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

*House of Assembly, 21 November 2018.*

*SUE HICKEY, Speaker.*

**22** BILL NO. 41. - The Gas Safety Bill 2018 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.

**23** BILL NO. 41. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act to regulate the gas industry, to provide for safety and technical standards that ensure that the gas supply industry, gas facilities, gas installations, gas appliances, gas storage systems and gas conditioning systems are constructed, maintained and operated to a high standard of safety and in a manner that protects persons and property, and for related purposes”,

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

*House of Assembly, 21 November 2018.*

SUE HICKEY, *Speaker*.

**24** BILL NO. 42. - The Gas (Consequential Amendments) Bill 2018 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.

**25** BILL NO. 42. - 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 enactment of the Gas Industry Act 2018 and the Gas Safety Act 2018”,

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

*House of Assembly, 21 November 2018.*

SUE HICKEY, *Speaker*.

**26** BILL NO. 54. - The Order of the Day being read for the Second reading of the Roads and Jetties Amendment (Management of State Highways in Cities) Bill 2018.

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

A Debate arose thereupon.

And Mr *O’Byrne* was addressing the Chair.

**27** ROUNTABLE DISCUSSIONS WITH HEALTH PROFESSIONALS. – A Motion being made and the Question being proposed — That the House:—

- (1) Notes that on 17 October 2018 the House unanimously passed a motion calling on the Premier, Hon. *Will Hodgman* MP to “include representatives from all sides of politics in state-wide roundtable discussions with health professionals, unions and stakeholder groups between now and the end of 2018.”
- (2) Further notes that groups including the Australian Medical Association and the Australian Nursing and Midwifery Federation have supported the concept of all sides of politics working together to address the health crisis.
- (3) Further notes that as of 20 November 2018 no dates had been set for the roundtables.
- (4) Calls on the Premier to immediately provide the House with the details of when the roundtable meetings will occur.
- (5) Orders the Premier to report to the House on the outcomes of the roundtables by 12 March, 2019. (*Ms White*)

A debate arose thereupon.

**28** PAPERS. – The Minister for Health laid upon the Table of the House a document in relation to industrial disputes by health workers during the Labor/Green Government 2010-2014.

**29** ROUNDTABLE DISCUSSIONS WITH HEALTH PROFESSIONALS. — And the Question being again proposed;

The House resumed the Debate.

Amendment proposed (Minister for Health) by leaving out paragraphs (3), (4) and (5) and inserting instead:

- (3) Further notes that the Minister for Health, Hon *Michael Ferguson* MP, held public forums in Burnie, Devonport, Launceston and Hobart, from 22 October 2018 to 24 October 2018.
- (4) Further notes that these forums were publicly advertised and well attended by health professionals and other stakeholder groups, but most importantly by members of Tasmanian public.
- (5) Further notes the Government will continue this public engagement and hold public forums again in the second half of next year in all regions of Tasmania, with all Members of Parliament welcome, along with the Tasmanian community, and update will be provided to the House on the outcome of the forums.

A debate arose thereupon.

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

The House divided.

AYES 11

*Ms Archer*  
*Mr Barnett*  
*Ms Courtney*  
*Mr Ferguson*  
*Mr Gutwein*  
*Mr Hidding*  
*Mr Hodgman*  
*Mr Jaensch*  
*Mrs Petrusma*  
*Mr Rockliff*  
*Mr Shelton* (Teller)

NOES 11

*Dr Broad*  
*Ms Butler*  
*Ms Dow*  
*Ms Haddad*  
*Mr O'Byrne*  
*Ms O'Byrne*  
*Ms O'Connor*  
*Ms Standen*  
*Ms White*  
*Dr Woodruff*  
*Mr Bacon* (Teller)

PAIRS

*Mr Brooks*

*Ms Houston*

SPEAKER GIVES CASTING VOTE. — The Speaker said: “The numbers being equal, I vote with the Ayes. Given the circumstances of this debate and the strong feelings involved, I have sought an assurance from the Government that they will hold a special system roundtable forum that will be held in the first half of next year. The event will be for all of our state politicians and senior representatives of our hospitals and allied health organisations or professional bodies to attend to discuss the issues of concern re the health system. The Government has also agreed to update the parliament on outcomes of these forums at the first available opportunity.”

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) Notes that on 17 October 2018 the House unanimously passed a motion calling on the Premier, Hon. *Will Hodgman* MP to “include representatives from all sides of politics in state-wide roundtable discussions with health professionals, unions and stakeholder groups between now and the end of 2018.”
- (2) Further notes that groups including the Australian Medical Association and the Australian Nursing and Midwifery Federation have supported the concept of all sides of politics working together to address the health crisis.
- (3) Further notes that the Minister for Health, Hon *Michael Ferguson* MP, held public forums in Burnie, Devonport, Launceston and Hobart, from 22 October 2018 to 24 October 2018.
- (4) Further notes that these forums were publicly advertised and well attended by health professionals and other stakeholder groups, but most importantly by members of Tasmanian public.
- (5) Further notes the Government will continue this public engagement and hold public forums again in the second half of next year in all regions of Tasmania, with all Members of Parliament welcome, along with the Tasmanian community, and update will be provided to the House on the outcome of the forums.

**30** BILL NO. 55. - The Order of the Day being read for the Second reading of the House of Assembly Restoration Bill 2018.

And a Motion being made, and the Question being proposed — That the Bill be now read the Second time. (Ms *O'Connor*)

A debate arose thereupon.

An Amendment was proposed to the Question by Ms *O'Connor*, by leaving out all the words after ‘That’ and inserting: -

- (1) A Select Committee be appointed, with power to send for persons and papers and records, to inquire into and report upon:-
  - (a) the House of Assembly Restoration Bill 2018 (No.55); and
  - (b) other matters incidental thereto.
- (2) The Committee shall consist of six Members, being: three from the Government nominated by the Leader of the House, one of whom shall be the Speaker of the House; two from the Opposition nominated by the Leader of the Opposition; and one from the Tasmanian Greens nominated by the Leader of the Tasmanian Greens, whom shall be the Chair.
- (3) The Committee report by 1 August 2019.

And the Question being proposed - That the amendment be agreed to;

A debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

And the Question, as amended, being put;

It was resolved in the Affirmative.

*Resolved*, That:-

- (1) A Select Committee be appointed, with power to send for persons and papers and records, to inquire into and report upon:-
  - (a) the House of Assembly Restoration Bill 2018 (No.55); and

(b) other matters incidental thereto.

- (2) The Committee shall consist of six Members, being: three from the Government nominated by the Leader of the House, one of whom shall be the Speaker of the House; two from the Opposition nominated by the Leader of the Opposition; and one from the Tasmanian Greens nominated by the Leader of the Tasmanian Greens, whom shall be the Chair.
- (3) The Committee report by 1 August 2019.

**31** BILL NO. 54. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Wednesday, 21 November 2018 - That the Roads and Jetties Amendment (Management of State Highways in Cities) Bill 2018 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.

**32** BILL NO. 54. - 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 and the Local Government (Highways) Act 1982",

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

*House of Assembly, 21 November 2018.*

SUE HICKEY, *Speaker.*

**33** BILL NO. 31. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Annulled Convictions Act 2003, the Firearms Act 1996, the Forensic Procedures Act 2000 and the Health Practitioner Regulation National Law (Tasmania) Act 2010".

*Legislative Council, 21 November 2018.*

J. S. WILKINSON, *President.*

**34** BILL NO. 33. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Corrections Act 1997".

*Legislative Council, 21 November 2018.*

J. S. WILKINSON, *President.*

**35** BILL NO. 39. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Criminal Code Act 1924, Evidence (Children and Special Witnesses) Act 2001 and the Family Violence Act 2004".

*Legislative Council, 21 November 2018.*

J. S. WILKINSON, *President.*

The House adjourned at twenty-four minutes past Seven o'clock.

SHANE DONNELLY, *Clerk of the House.*

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MEMBERS. - All present during the day except Mr *Brooks* and Ms *Houston*.