



# HOUSE OF ASSEMBLY

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 19

TUESDAY, 30 JULY 2019

- 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 MINISTERIAL APPOINTMENTS. The Premier made the following statement to the House:-

“Madam Speaker, I advise the House of ministerial appointments and the following ministerial changes:

I will continue to serve as Premier; Minister for Tourism, Hospitality and Events; Minister for Trade; Minister for Advanced Manufacturing and Defence Industries; and Minister for the Prevention of Family Violence;

Hon *Jeremy Rockliff* MP as Deputy Premier; Minister for Education and Training; Minister for Sport and Recreation; and Minister for Mental Health and Wellbeing;

Hon *Elise Archer* MP as Attorney-General; Minister for Justice; Minister for Corrections; Minister for Building and Construction; Minister for the Arts and Minister for Racing;

Hon *Guy Barnett* MP as Minister for Primary Industries and Water; Minister for Energy; Minister for Resources; and Minister for Veterans’ Affairs;

Hon *Sarah Courtney* MP as Minister for Health; and Minister for Women;

Hon *Michael Ferguson* MP as Minister for Infrastructure and Transport; Minister for State Growth; Minister for Small Business; Minister for Science and Technology; and continues as Leader of the House;

Hon *Peter Gutwein* MP as Treasurer; and Minister for Environment, Parks and Heritage;

Hon *Roger Jaensch* MP as Minister for Human Services; Minister for Disability Services and Community Development; Minister for Aboriginal Affairs; Minister for Housing; and Minister for Planning;

Hon *Mark Shelton* MP who joins Cabinet as Minister for Police, Fire and Emergency Management; and Minister for Local Government;

*Joan Rylah* MP is now Parliamentary Secretary to the Premier, and Hon *Jane Howlett* MLC appointed as Parliamentary Secretary for Regional and Community Development.

I take this opportunity to acknowledge the Member for Franklin, Hon *Jacquie Petrusma* MP, who has stepped down from Cabinet to focus on her own health. We thank you Jacquie for your tireless work over the past five years and we wish you well in your treatment and recovery.”

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

**6** MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Franklin, Mr *O’Byrne*, to withdraw from the House for the remainder of Question Time owing to repeated interjections.

**7** QUESTIONS SEEKING INFORMATION. – Questions without notice continued.

**8** PAPERS. – The Deputy Premier laid upon the Table of the House the following Papers:-

- (1) ‘Better Integration of Mental Health Services in Southern Tasmania: Mental Health Integration Taskforce Report and Recommendations’, dated April 2019.
- (2) ‘Government Response to the Mental Health Integration Taskforce Report and Recommendations’ dated July 2019.

**9** QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.

**10** PETITION. - Dr *Broad* presented a Petition from approximately 18 abalone processors of Tasmania, requesting that the House call on the Minister to revoke the compulsory Tasmanian Abalone Council levy for the abalone processing sector in accordance with the Living Marine Resources Management Act 1995, Section 279(9) (HA3/2019).

Which Petition was read and received.

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

- (1) Financial Management Act 2016:
  - (a) Order made pursuant to section 6(2) - Royal Tasmanian Botanical Gardens;
  - (b) Order made pursuant to section 6(2) - Inland Fisheries;
  - (c) Order made pursuant to section 6(2) - Marine and Safety Authority;
  - (d) Order made pursuant to section 6(2) - TasTafe;
  - (e) Order made pursuant to section 6(2) - State Fire Commission.
- (2) Land Tax Act 2000: Land Tax (Exemption Extension) Order (No. 2) 2019 (Statutory Rules 2019, No. 28).
- (3) Duties Act 2001: Duties (Concession Extension) Order (No. 2) 2019 (Statutory Rules 2019, No. 29).

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

- (1) Local Government Act 1993: Central Coast Council Animal Control By-Law – By-Law 1 of 2018.
- (2) Additional information provided to Estimates Committee A in respect of the Estimates of the Attorney-General, Minister for Justice, Minister for Corrections, Minister for Environment, Minister for the Arts and Minister for Racing.

- (3) Additional information provided to Estimates Committee A in respect of the Estimates of the Treasurer, Minister for State Growth and Minister for Local Government.

**13 PAPERS.** – Mrs *Rylah*, laid upon the Table of the House the following Papers:-

- (1) Additional information provided to Estimates Committee B in respect of the Estimates of the Minister for Education and Training, Minister for Advanced Manufacturing and Defence Industries and Minister for Infrastructure.
- (2) Additional information provided to Estimates Committee B in respect of the Estimates of the Minister for Disability Services and Community Development, Minister for Women, Minister for Aboriginal Affairs and Minister for Sport and Recreation.
- (3) Additional information provided to Estimates Committee B in respect of the Estimates of the Minister for Primary Industries and Water, Minister for Energy and Minister for Veterans Affairs.
- (4) Additional information provided to Estimates Committee B in respect of the Estimates of the Minister for Building and Construction and Minister for Resources.

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

MESSAGE.

C. A. WARNER, *Governor*.

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 (Bill No. 58 of 2018 (*Act No. 13 of 2019*))

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, 18 June 2019.*

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

MESSAGE.

C. A. WARNER, *Governor*.

A Bill for an Act for the appropriation of \$5 053 974 000 out of the Public Account for the services of the Government for the financial year ending on 30 June 2020 (Bill No. 21 (*Act No. 19 of 2019*))

A Bill for an Act for the appropriation of \$34 000 000 out of the Public Account for the services of the Government in respect of Parliament and Statutory Offices for the financial year ending on 30 June 2020 (Bill No. 22 (*Act No. 20 of 2019*))

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, 28 June 2019.*

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

MESSAGE.

C. A. WARNER, *Governor*.

A Bill for an Act to amend the Supreme Court Civil Procedure Act 1932 (Bill No. 52 of 2018 (*Act No. 14 of 2019*))

A Bill for an Act to amend the Ambulance Service Act 1982, the Food Act 2003, the Mental Health Act 2013, the Pharmacy Control Act 2001, the Poisons Act 1971 and the Public Health Act 1997 (Bill No. 12 (*Act No. 15 of 2019*))

A Bill for an Act to amend the First Home Owner Grant Act 2000 (Bill No. 24 (*Act No. 16 of 2019*))

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, 28 June 2019*

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

MESSAGE.

C. A. WARNER, *Governor*.

A Bill for an Act to amend the Registration to work with Vulnerable People Act 2013 (Bill No. 65 of 2018 (*Act No. 18 of 2019*))

A Bill for an Act to amend the Disability Services Act 2011 (Bill No. 10 (*Act No. 17 of 2019*))

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, 4 July 2019.*

**18** BILL NO. 12. - 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 Ambulance Service Act 1982, the Food Act 2003, the Mental Health Act 2013, the Pharmacy Control Act 2001, the Poisons Act 1971 and the Public Health Act 1997".

*Legislative Council, 18 June 2019.*

C.M. FARRELL, *President*.

**19** BILL NO. 24. - 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 First Home Owner Grant Act 2000".

*Legislative Council, 20 June 2019.*

C.M. FARRELL, *President*.

**20** BILL NO. 10. - 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 Disability Services Act 2011".

*Legislative Council, 20 June 2019.*

*C.M. FARRELL, President.*

**21** BILL NO. 65 of 2018. - 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 Registration to Work with Vulnerable People Act 2013".

*Legislative Council, 20 June 2019.*

*C.M. FARRELL, President.*

**22** BILL NO. 21. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Request and without Amendment, to a Bill, intituled - "A Bill for an Act for the appropriation of \$5 053 974 000 out of the Public Account for the Services of the Government for the financial year ending on 30 June 2020".

*Legislative Council, 20 June 2019.*

*C.M. FARRELL, President.*

**23** BILL NO. 22. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council has agreed, without Request and without Amendment, to a Bill, intituled - "A Bill for an Act for the appropriation of \$34 000 000 out of the Public Account for the services of the Government in respect of Parliament and Statutory Offices for the financial year ending on 30 June 2020".

*Legislative Council, 20 June 2019.*

*C.M. FARRELL, President.*

**24** BILL NO. 11. - A Message from the Legislative Council. -

MADAM SPEAKER

The Legislative Council having this day agreed, with Amendments, to a Bill, intituled –

“A Bill for an Act to assist councils in the Greater Hobart area and the State Government to better collaborate with each other in the making of decisions that will affect strategic land use planning, and the provision of infrastructure, in the Greater Hobart area, and for related purposes “,

now returns the same to the House of Assembly, and requests its concurrence therein.

*Legislative Council, 18 June 2019.*

*C.M. FARRELL, President.*

*Ordered,* That the said Message be taken into consideration at a later hour. (The Minister for Infrastructure and Transport)

**25** BILL NO. 31. – The Treasurer presented -

“A Bill for an Act to amend the Historic Cultural Heritage Act 1995”.

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

**26** BILL NO. 30. – The Minister for Justice presented -

“A Bill for an Act to amend the Civil Liability act 2002”.

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

**27** LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That Ms *O'Connor* have leave to make a Motion without Notice. (Ms *O'Connor*).

**28** SELECT COMMITTEE ON THE HOUSE OF ASSEMBLY RESTORATION BILL: TIME FOR BRINGING UP REPORT. – *Ordered*, That the time for bringing up the report of the Select Committee on the House of Assembly Restoration Bill be extended until 15 October next. (Ms *O'Connor*)

**29** RESIGNATION OF CHAIR OF COMMITTEES. – The Speaker informed the House that the following communication had been received from the Honourable Member for Lyons Mr *Shelton*:-

1 July 2019

Hon Sue Hickey MP  
Speaker of the House of Assembly  
Parliament House  
HOBART

Dear Madam Speaker,

I hereby resign the office of Chair of Committees. When the House assembles, I shall be glad if you will inform Honourable Members of my resignation and at the same time convey to them my appreciation of, and thanks for, the courtesy and consideration which has been extended to me during my occupancy of the Chair.

Yours faithfully,

Mark Shelton MP  
MEMBER FOR LYONS

**30** JOINT STANDING COMMITTEE ON INTEGRITY, RESIGNATION OF MEMBER. – The Speaker informed the House that the following communication had been received from the Honourable Member for Lyons, Mr *Shelton*:-

19 July 2019

Hon Sue Hickey MP  
Speaker of the House of Assembly  
Parliament House  
HOBART

Dear Madam Speaker,

Re: Joint Standing Committee on Integrity

In accordance with section 25 of the Integrity Commission Act 2009, I hereby notify you of my resignation from the Joint Standing Committee on Integrity.

Yours sincerely,

Mark Shelton MP  
MEMBER FOR LYONS

**31** CHAIR OF COMMITTEES. – The Premier proposed to the House “That the Honourable Member for Franklin, Mrs *Petrusma* be the Chair of Committees of this House”; which Motion was seconded by the Minister for Infrastructure and Transport.

Mr *O’Byrne* proposed to the House “That the Honourable Member for Braddon, Mrs *Rylah*, be the Chair of Committees of this House”; which Motion was seconded by Mr *Bacon*.

Mrs *Rylah* rose in her place and declined the nomination.

There being no further nominations;

*Resolved*, That the Honourable Member for Franklin, Mrs *Petrusma*, be the Chair of Committees of this House.

**32** LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That the Minister for Infrastructure and Transport have leave to make a Motion without Notice. (The Minister for Infrastructure and Transport)

**33** COMMITTEE APPOINTMENTS. - *Ordered*, That:

- (1) The Chair of Committees be appointed to serve on:-
  - (a) the Parliamentary Standing Committee on Public Works in pursuance of section 4 subsection (2) of the Public Works Committee Act 1914 (No. 32);
  - (b) the Parliamentary Standing Committee on Subordinate Legislation in accordance with the provisions of section 4 of the Subordinate Legislation Committee Act 1969 (No. 44);
  - (c) the Joint Standing Committee on Integrity in accordance with section 23 subsection (4) of the Integrity Commission Act 2009 (No. 67); and
  - (d) the Select Committee on Firearms Legislation and Policy in place of the Minister for Police, Fire and Emergency Management.
- (2) The Chair of Committees be the Chair of the Select Committee on Firearms Legislation and Policy.

**34** COMMITTEE APPOINTMENTS. - A Message to the Legislative Council. -

MR PRESIDENT

The Chair of Committees has been appointed on the part of the House of Assembly to serve on:

- (1) The Parliamentary Standing Committee on Public Works in pursuance of section 4 subsection (2) of the Public Works Committee Act 1914 (No. 32).
- (2) The Parliamentary Standing Committee on Subordinate Legislation in accordance with the provisions of section 4 of the Subordinate Legislation Committee Act 1969 (No. 44).
- (3) The Joint Standing Committee on Integrity in accordance with section 23 subsection (4) of the Integrity Commission Act 2009 (No. 67).

*House of Assembly, 30 July 2019.*

SUE HICKEY, *Speaker*.

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

Health Cuts.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

**36** BILL NO. 63 of 2018. - The Order of the Day being read for the Second reading of the Criminal Code and Related Legislation Amendment (Child Abuse) Bill 2018.

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

A Debate arose thereupon.

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

**38** BILL NO. 63 of 2018. - 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.

**39** BILL NO. 63 of 2018. - 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 Children, Young Persons and Their Families Act 1997, the Criminal Code Act 1924, the Evidence (Children and Special Witnesses) Act 2001 and the Sentencing Act 1997",

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

*House of Assembly, 30 July 2019.*

SUE HICKEY, *Speaker.*

**40** BILL NO. 17. - The Local Government (Highways) Amendment Bill 2019 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.

**41** BILL NO. 17. - 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 Local Government (Highways) Act 1982",

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

*House of Assembly, 30 July 2019.*

SUE HICKEY, *Speaker.*



**42** BILL NO. 11. - The House, according to Order, proceeded to take into consideration the Amendments made by the Legislative Council to the Greater Hobart Bill 2019.

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(In the Committee)

Mr *Tucker* took the Chair.

Amendments

Clause 4

Page 7, subclause (1), after paragraph (a).

*Insert* the following paragraph:

(ab) ease of access to infrastructure, in all locations, for persons of all abilities and needs; and

Clause 5

Page 8, paragraph (b).

*Leave out* the paragraph.

*Insert instead* the following paragraph:

(b) to facilitate the efficient and safe flow of transport, to improve access to, and to further the use of, public passenger transport, and to encourage and promote the use of transport with low-carbon emissions, in the Greater Hobart area; and

Amendments agreed to.

Resolution to be reported.

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The House being resumed, Mr *Tucker* 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 State Growth)

**43** BILL NO. 11. - 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 assist councils in the Greater Hobart area and the State Government to better collaborate with each other in the making of decisions that will affect strategic land use planning, and the provision of infrastructure, in the Greater Hobart area, and for related purposes”.

*House of Assembly, 30 July 2019.*

SUE HICKEY, *Speaker*.

**44** BILL NO. 14. - The Order of the Day being read for the Second reading of the Right to Information Amendment (Applications for Review) Bill 2019.

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 Mrs *Rylah* was addressing the Chair.

**45** ADJOURNMENT. - The time being Six o'clock, the Speaker proposed - That the House do now adjourn and called for issues to be raised.

**46** PAPERS. – Ms *O'Connor*, *by leave*, laid upon the table of the House documents in relation to the death of a harness horse and an investigation of the Office of Racing Integrity.

The House adjourned at Seven o'clock.

SHANE DONNELLY, *Clerk of the House*.

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MEMBERS. - All present during the day.