



HOUSE OF ASSEMBLY

SESSION OF 2022

(SECOND SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 5

WEDNESDAY, 25 MAY 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 Braddon, Dr *Broad*, to withdraw from the House for the remainder of Question Time owing to repeated interjections.
- 6 QUESTIONS SEEKING INFORMATION. – Questions without notice continued.
- 7 PAPERS. – The Attorney-General laid upon the Table of the House the following Paper:-
Tasmanian Government Response to the Independent Review of the Public Trustee Tasmania.
- 8 QUESTIONS SEEKING INFORMATION. – Questions without notice continued.
- 9 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Bass, Ms *O'Byrne*, to withdraw from the House for the remainder of Question Time owing to repeated interjections.
- 10 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.
- 11 PETITION. – Ms *O'Connor* presented an E-Petition from approximately 401 citizens of Tasmania, requesting that the House restore forthwith the size of the membership of the House of Assembly to 35 Members so as to restore both the quality of Government and the confidence of the petitioners in Government of Tasmania. (HA7/2022).

Which Petition was read and received.

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

Fee Units Act 1997:

- (a) Schedule of Fees - Marine and Safety Tasmania; and
- (b) Schedule of Fees - Department of State Growth.

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

Fee Units Act 1997: Schedule of Fees - Department of Natural Resources and Environment
Tasmania – Ministerial Portfolio of Parks.

14 PAPERS. – The Minister for Hospitality and Events laid upon the Table of the House the following Paper:-

Living Marine Resources Management Act 1995: Fisheries (Biosecurity) Order 2022.

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

(1) Queen Victoria Museum and Art Gallery: Annual Report 2019-2020.

(2) Queen Victoria Museum and Art Gallery: Annual Report 2020-2021.

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

Fee Units Act 1997: Schedule of Fees - Department of Natural Resources and Environment
Tasmania - Ministerial Portfolio of Resources.

17 ATTENDANCE OF LEGISLATIVE COUNCIL MINISTER FOR BUDGET PROCEEDINGS. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council desires to inform the House of Assembly that it agrees to the request of the Assembly in its Message dated 24 May 2022 and has given leave for the Honourable Jo Palmer MLC, Minister for Primary Industries and Water, Minister for Disability Services and Minister for Women to appear before and give evidence to the relevant Estimates Committee in relation to the Budget Estimates and related documents.

Legislative Council, 24 May 2022.

C.M. FARRELL, *President.*

18 COMMITTEE MEMBERSHIP. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council has appointed Mrs *Hiscutt* to serve on the Parliamentary Standing committee on Subordinate Legislation, in accordance with Section 3 of the Subordinate Legislation Committee Act 1969 (No. 44).

Legislative Council, 25 May 2022.

C.M. FARRELL, *President.*

19 ESTIMATES COMMITTEES: ATTENDANCE OF MINISTERS. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council having passed the following Resolution now transmits the same to the House of Assembly, and requests its concurrence therein:-

Resolved, that the Legislative Council having appointed two Estimates Committees reflecting the distribution of Government Ministers' portfolio responsibilities, requests that the House of Assembly give leave to all Ministers to appear before and give evidence to the relevant Council Estimates Committee in relation to the Budget Estimates and related documents.

Legislative Council, 25 May 2022.

C.M. FARRELL, *President.*

Ordered, That the abovementioned message be taken into consideration forthwith (The Minister for Hospitality and Events).

Resolved, That the Resolution of the Legislative Council be agreed to. (The Minister for Hospitality and Events)

20 ESTIMATES COMMITTEES: ATTENDANCE OF MINISTERS. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly doth agree to the following Resolution communicated to it by the Legislative Council on 25 May 2022:-

Resolved, That the Legislative Council having appointed two Estimates Committees reflecting the distribution of Government Ministers' portfolio responsibilities, requests that the House of Assembly give leave to all Ministers to appear before and give evidence to the relevant Council Estimates Committee in relation to the Budget Estimates and related documents.

House of Assembly, 25 May 2022.

MARK SHELTON, *Speaker*.

21 BILL NO. 27. – The Minister for Workplace Safety and Consumer Affairs presented -

“A Bill for an Act to amend the Architects Act 1929, the Conveyancing Act 2004, the Motor Vehicle Traders Act 2011, the Mutual Recognition (Tasmania) Act 1993, the Occupational Licensing Act 2005, the Property Agents and Land Transactions Act 2016 and the Security and Investigations Agents 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.

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

23 SUSPENSION OF STANDING ORDERS. – A Motion being made and the Question being proposed – That Standing Orders 79 and 80 be suspended, to enable the following motion to be dealt with during the Greens Private Members' Business allocation today:-

That the House supports, in principle, restoring the number of seats in the House of Assembly from 25 to 35. (Ms *O'Connor*)

A debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

24 MATTER OF PUBLIC IMPORTANCE: THE LAUNCESTON GENERAL HOSPITAL. – Ms *Dow*, in accordance with Standing Orders, moved - That the House take note of the following matter:

The Launceston General Hospital.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

25 BILL NO. 15. - The Order of the Day being read for the Committal to a Committee of the whole House of the Police Offences Amendment (Workplace Protection) Bill 2022;

And the Speaker having left the Chair, the House resolved itself into the said Committee.

(In the Committee)

The Chair of Committees took the Chair.

Clause 1 read.

Question put - That the Clause as read stand part of the Bill;

The Committee divided.

AYES 19

NOES 3

Mrs Alexander

Ms Johnston

Ms Archer

Ms O'Connor

Mr Barnett

Dr Woodruff (Teller)

Dr Broad

Ms Butler

Ms Dow

Mr Ferguson

Ms Finlay

Ms Haddad

Mr Jaensch

Mr O'Byrne

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Shelton

Mr Street

Ms White

Mr Winter

Mr Wood (Teller)

It was resolved in the Affirmative.

Clauses 2 to 3 agreed to.

Clause 4 read.

Amendment proposed (*Ms O'Connor*)

Page 4, paragraph (a).

Leave out the paragraph.

Question proposed - That the Amendment be agreed to;

SUSPENSION OF SITTING. - At One o'clock the Chair of Committees left the Chair.

26 SPEAKER RESUMED CHAIR. - At half-past Two o'clock, in accordance with Standing Order 261, it being time for Private Members Business under Standing Order 42, the Speaker resumed the Chair.

27 RESTORATION OF NUMBER OF SEATS IN HOUSE OF ASSEMBLY. - A Motion being made and the Question being proposed—That the House supports, in principle, restoring the number of seats in the House of Assembly from 25 to 35. (Ms *O'Connor*)

A debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

28 COST OF LIVING AND REAL WAGE CRISIS: ESTABLISHMENT OF SELECT COMMITTEE ON. - A Motion being made and the Question being proposed—That:—

- (1) A Select Committee be appointed, with power to send for persons, papers and records, to inquire into and report upon the Cost of Living and Real Wage Crisis engulfing Tasmania, including:—
 - (a) the impact of increases in the price of essentials and utilities like housing, food, transport, energy, council rates, water, waste and sewerage;
 - (b) inadequacy of current wage growth in Tasmania;
 - (c) the impact of these cost pressures on Tasmanian households; and
 - (d) the impact of Government policy on cost of living pressures and the adequacy of assistance and other measures to reduce, limit and ameliorate the pressures.
- (2) The Members to serve on the Committee be:—
 - (a) two from the Government, nominated by the Leader of the House;
 - (b) two from the Opposition, nominated by the Leader of Opposition Business; and
 - (c) one from the Greens, nominated by the Leader of the Greens.
- (3) The Committee report by 24 November next. (Mr *Winter*)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 11

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

NOES 11

Ms Archer
Mr Barnett
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Street
Mr Tucker
Mr Wood
Mrs Alexander (Teller)

PAIRS

Ms O'Byrne

Mr Ellis

SPEAKER GIVES CASTING VOTE. – The Speaker said: 'The numbers being equal, in accordance with Standing Order 167, I cast my vote with the Noes.'

So it passed in the Negative.

29 PRIVATE MEMBERS BUSINESS. – In accordance with Standing Order 42, *Mrs Alexander* indicated that the Government Members' Private Members' Business for this day's sitting would be waived.

30 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 Hospitality and Events)

31 BILL NO. 15. - The House, according to Order, again resolved itself into a Committee on the Police Offences Amendment (Workplace Protection) Bill 2022.

(In the Committee)

The Chair of Committees took the Chair.

Amendment to Clause 4 further considered.

Question put - That the Amendment be agreed to;

The Committee divided.

AYES 11

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

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Mr Wood (Teller)

PAIRS

Ms O'Byrne

Mr Ellis

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 4, as read, further considered.

Amendment proposed (*Ms O'Connor*)

Page 4, paragraph (b).

Leave out the paragraph.

Question put - That the Amendment be agreed to;

The Committee divided.

AYES 11

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

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Mr Wood (Teller)

PAIRS

Ms O'Byrne

Mr Ellis

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 4, as read, further considered.

Amendment proposed (Ms *O'Connor*)

Page 4, paragraph (c).

Leave out the paragraph.

BILL NO. 15. - DECLARED URGENT. – The Minister for Hospitality and Events declared the Police Offences Amendment (Workplace Protection) Bill 2022 to be an Urgent Bill.

And the Question being put – That the Bill be considered an Urgent Bill;

The Committee divided.

AYES 11

Mrs *Alexander*
Ms *Archer*
Mr *Barnett*
Mr *Ferguson*
Mr *Jaensch*
Ms *Ogilvie*
Mrs *Petrusma*
Mr *Rockliff*
Mr *Shelton*
Mr *Street*
Mr *Wood* (Teller)

NOES 11

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

PAIRS

Mr *Ellis*

Ms *O'Byrne*

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 Ayes.'

It was resolved in the Affirmative.

ALLOTMENT OF TIME. – A Motion being made and the Question being proposed – That all remaining stages of the Bill be completed by twenty-five minutes past Eight o'clock p.m. today. (The Minister for Hospitality and Events)

A debate arose thereupon.

And the Question being put;

The Committee divided.

AYES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Mr Wood (Teller)

NOES 11

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

PAIRS

Mr Ellis

Ms O'Byrne

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 Ayes.'

It was resolved in the Affirmative.

Amendment to Clause 4, further considered.

Question put - That the Amendment be agreed to;

The Committee divided.

AYES 11

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

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Mr Wood (Teller)

PAIRS

Ms O'Byrne

Mr Ellis

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 4, as read, further considered.

Question put - That Clause 4, as read, stand part of the Bill;

The Committee divided.

AYES 11

NOES 11

Mrs Alexander

Ms Butler

Ms Archer

Ms Dow

Mr Barnett

Ms Finlay

Mr Ferguson

Ms Haddad

Mr Jaensch

Ms Johnston

Ms Ogilvie

Mr O'Byrne

Mrs Petrusma

Ms O'Connor

Mr Rockliff

Ms White

Mr Shelton

Mr Winter

Mr Street

Dr Woodruff

Mr Wood (Teller)

Dr Broad (Teller)

PAIRS

Mr Ellis

Ms O'Byrne

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 Ayes.'

It was resolved in the Affirmative.

Clause 5 read.

Amendment proposed (*Ms White*)

Page 8, paragraph (d), after proposed new subsection (2AC).

Insert the following proposed new subsection:

“(2AD) Subsections (2AA) and (2AC) do not apply to a person who is convicted by a court of an offence under this section if the offence was committed –

- (a) in the course of the person being engaged in –
 - (i) industrial action; or
 - (ii) an industrial dispute; or
 - (iii) an industrial campaign; or
- (b) at a workplace at which the person works at the request of an employer of the person; or
- (c) at a workplace owned, occupied, operated, or used, for the purposes of a business or undertaking, by an employer of the person.”

Question put - That the Amendment be agreed to;

The Committee divided.

AYES 11

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

NOES 11

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Mr Wood (Teller)

PAIRS

Ms O'Byrne

Mr Ellis

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 5, as read, further considered.

LIMITATION OF DEBATE. - And the time allotted for consideration of the Bill having expired, according to Order, the following Questions were put:

That the Clause as read stand part of the Bill;

That the remaining Clauses be agreed to;

That Schedule 1 be agreed to;

That the title be agreed to;

And that the Bill be reported to the House without Amendment;

The Committee divided.

AYES 19

Mrs Alexander
Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Dow
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Street
Ms White
Mr Winter
Mr Wood (Teller)

NOES 3

Ms O'Connor
Dr Woodruff
Ms Johnston (Teller)

It was resolved in the Affirmative.

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.

And the Question being put - That the Bill be now read the Third time;

The House divided.

AYES 18

NOES 3

Mrs Alexander

Ms Archer

Mr Barnett

Dr Broad

Ms Butler

Ms Dow

Mr Ferguson

Ms Finlay

Ms Haddad

Mr Jaensch

Ms Ogilvie

Mrs Petrusma

Mr Rockliff

Mr Street

Mr Tucker

Ms White

Mr Winter

Mr Wood (Teller)

Ms O'Connor

Dr Woodruff

Ms Johnston (Teller)

It was resolved in the Affirmative.

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

32 BILL NO. 15. - 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 Police Offences Act 1935 and to repeal the Workplaces (Protection from Protesters) Act 2014",

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

House of Assembly, 25 May 2022.

MARK SHELTON, *Speaker.*

33 ADJOURNMENT. - A Motion being made - That the House do now adjourn (The Minister for Hospitality and Events)

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

The House adjourned at four minutes past Nine o'clock.

SHANE DONNELLY, *Clerk of the House.*

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

The Minister for Primary Industries and Water, Minister for Disability Services and Minister for Women attended Question Time.