



# HOUSE OF ASSEMBLY

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 15

THURSDAY, 16 SEPTEMBER 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 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.

Due to continuing interjections the time for the Honourable Member for Clark, Ms *O'Connor*, to withdraw from the House was extended until Noon.

- 6 QUESTIONS SEEKING INFORMATION. - Questions without notice continued and concluded.
- 7 PAPERS. - The Premier laid upon the Table of the House the following Papers:-
  - (1) Covid-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice under Section 19 - Land Use Planning and Approvals Act 1993.
  - (2) Covid-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice under Section 19 - Land Use Planning and Approvals Act 1993.
  - (3) Covid-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice under Section 15 - Land Use Planning and Approvals Act 1993.
  - (4) Covid-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice under Section 13 - Land Use Planning and Approvals Act 1993.
- 8 PAPERS. - The Deputy Premier laid upon the Table of the House the following Paper:-

Department of Health: Tasmanian Health Service 2021-22 Service Plan.
- 9 PAPERS. - The Minister for Infrastructure and Transport laid upon the Table of the House the following Paper:-
  - (1) Rail Safety National Law: Rail Safety National Regulations (Fees) Variation Regulations 2021.
  - (2) Answer to Question on Notice No. 2 of 2021.

**10** PAPERS. – The Minister for Primary Industries and Water laid upon the Table of the House the following Paper:-

Animal Research Statistics Tasmania: Annual Report September 2021.

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

Environmental Management and Pollution Control Act 1994: Environmental Management and Pollution Control (Noise) Amendment Regulations 2021 (Statutory Rules 2021, No. 66).

**12** PAPERS. – Mr *Street* laid upon the Table of the House the following Paper:-

Additional information provided to Estimates Committee A in respect of the Estimates of the Minister for State Growth, Minister for Environment, Minister for Local Government and Planning, Minister for Aboriginal Affairs and Minister for Heritage.

**13** PAPERS. – Mr *Ellis* laid upon the Table of the House the following Paper:-

Additional information provided to Estimates Committee B in respect of:

- (1) The Minister for Parks, Minister for the Prevention of Family Violence, and Minister for Police Fire and Emergency Management; and
- (2) The Minister for Children and Youth.

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

- (1) Midland Highway 10 Year Action Plan – Final Stage (Paper No. 17).
- (2) Northern Roads Package (Paper No. 18).
- (3) Lyell Highway – Queenstown to Strahan Safety Upgrade Project (Paper No. 19).

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

**15** PAPERS. – Dr *Woodruff*, *by leave*, laid upon the Table of the House the following Paper:-

Document titled “World Scientists’ Warning of a Climate Emergency”.

**16** 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)

**17** ADJOURNMENT. - *Ordered*, That the House, at its rising, adjourn till Tuesday, 12 October next. (The Minister for Infrastructure and Transport)

**18** SPEAKER RULES. – The Speaker said: “As Members are aware, the Matter of Public Importance which has been circulated for today was proposed to be moved by the Honourable Member for Clark, Ms *O’Connor*. As Ms *O’Connor* has been directed to withdraw from the House until Noon, and as I have not received written authority from Ms *O’Connor* (pursuant to the applicable Standing Order, number 70) for another Member to take charge of the motion in her absence, the House will proceed to the next item of business, which is Government Business.”

**19** BILL NOS. 36 AND 37. - ESTIMATES COMMITTEES: FURTHER CONSIDERATION OF REPORTS. - The Order of the Day being read for further consideration of the Reports of Estimates Committees A and B on the Appropriation Bills (No. 1) and (No. 2) 2021, the House resolved itself into a Committee of the whole House.

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(In the Committee)

Estimates of the Attorney-General, Minister for Justice, Minister for Corrections, Minister for Workplace Safety and Consumer Affairs and Minister for Arts.

Question proposed - That the proposed expenditures be agreed to and the resolutions or expressions of opinion agreed to by the Committee in relation to those expenditures be noted.

A debate arose thereupon.

PAPERS. – Mr *Ellis* laid upon the Table of the House the following Paper:-

Additional information provided to Estimates Committee B in respect of the Estimates of the Attorney-General, Minister for Justice, Minister for Corrections and Minister for Workplace Safety and Consumer Affairs.

Question again proposed.

Question put and agreed to.

Estimates of the Minister for Police Fire and Emergency Management, Minister for Parks and Minister for the Prevention of Family Violence.

Question proposed - That the proposed expenditures be agreed to and the resolutions or expressions of opinion agreed to by the Committee in relation to those expenditures be noted.

A debate arose thereupon.

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

Question again proposed.

To report progress and ask leave to sit again.

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The House being resumed, Mr *Street* reported that the Committee had made progress in the Bill, and had directed him to ask leave to sit again.

*Resolved*, That this House will, at a later hour, again resolve itself into the said Committee.

**20** STATEMENT BY THE SPEAKER AND MEMBER NAMED. - The Speaker said:

“I wish to make a statement concerning the proceedings this morning, and make the following points:-

Having been called to order on a number of occasions during Question Time and having continually interrupted the Minister with the call, I directed the Honourable Member for Clark Ms *O'Connor*, to withdraw until the end of Question Time.

I was mindful that the Member had given notice of today's MPI and this period of withdrawal would have enabled the Member to proceed with the intended MPI.

Having been directed to withdraw, the Member continued her disorderly conduct in complete disregard of the authority of the Chair and I extended the period of withdrawal until Noon.

It was the Honourable Member's conduct which brought about the consequence that she was not able to be present in the Chamber to move the MPI.

Standing Order 70 however makes provision for the transfer of the carriage of a motion from one Member to another, by simply requiring written notice to be provided to either myself or the Table before the motion is moved.

The period of time between the Member's suspension and time for the MPI to be moved was approximately one hour, which I believe to be sufficient time to give notice, or, if there was some uncertainty on the part of the Greens as to how to proceed, to take advice.

No such notice was received by me or the Table, and I was obliged to move to the next item of business.

The Honourable Member subsequently published a 'Tweet' and Media Release asserting that my ruling regarding the Matter of Public Importance broke with convention, was unprecedented and was a "co-ordinated Liberal move to shut down debate on a matter of huge public interest".

My ruling was consistent with the provisions of the Standing Orders and I note that no motion to dissent from my ruling was moved at the time.

It is a fundamental tenet of Parliamentary practice that a Speaker's conduct may only be criticised by way of a substantive motion being moved in the House. Any reflection on the character or actions of a Speaker inside or outside the House is highly disorderly as by convention, a Speaker does not participate in public debate about matters that occur in the House except to clarify rulings. Therefore, a Speaker is not in a position to defend him or herself against public reflection from a Member.

Were the Honourable Member for Clark, Ms *O'Connor*, to be unfamiliar with this important parliamentary practice, I would certainly be inclined to extend a degree of latitude regarding any further consequences. However, the Member has been required to apologise to a previous Speaker in this place for similar conduct.

I regard the assertion made by the Honourable Member for Clark, as a personal reflection on both my character and my ability to impartially discharge my duties as Speaker.

Accordingly, I name the Honourable Member."

A Motion being made and the Question being put – That the Honourable Member for Clark, Ms *O'Connor* be suspended from the service of the House. (The Minister for Infrastructure and Transport)

It was resolved in the Affirmative.

**21** BILL NOS. 36 AND 37. - ESTIMATES COMMITTEES: FURTHER CONSIDERATION OF REPORTS. - The Order of the Day being read for further consideration of the Reports of Estimates Committees A and B on the Appropriation Bills (No. 1) and (No. 2) 2021, the House resolved itself into a Committee of the whole House.

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(In the Committee)

The Chair of Committees took the Chair.

Estimates of the Minister for Police Fire and Emergency Management, Minister for Parks and Minister for the Prevention of Family Violence.

Question again proposed - That the proposed expenditures be agreed to and the resolutions or expressions of opinion agreed to by the Committee in relation to those expenditures be noted.

Question put and agreed to.

Estimates of the Minister for Small Business, Minister for Women, Minister for Sport and Recreation and Minister for Racing.

Question proposed - That the proposed expenditures be agreed to and the resolutions or expressions of opinion agreed to by the Committee in relation to those expenditures be noted.

Mr *Tucker* took the Chair.

Question again proposed.

The Chair of Committees resumed the Chair.

Question again proposed.

PAPERS. – Mr *Ellis* laid upon the Table of the House the following Paper:-

Additional information provided to Estimates Committee B in respect of the Estimates of the Minister for Small Business and Minister for Racing.

Question again proposed.

Question put and agreed to.

And according to Order, the Questions were put:-

That the remainder of the Bills be agreed to;  
That the Titles be the Titles of the Bills; and  
That the Bills be reported to the House without Amendment.

Which Questions were resolved in the Affirmative.

Bills to be reported without Amendment.

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

*Ordered*, That the Bills be now read the Third time;

And the Bills were, accordingly, read the Third time.

**22** BILL NO. 36. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act for the appropriation of \$6 559 224 000 out of the Public Account for the services of the Government for the financial year ending on 30 June 2022”,

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

*House of Assembly, 16 September 2021.*

MARK SHELTON, *Speaker*.

**23** BILL NO. 37. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act for the appropriation of \$40 141 000 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 2022”,

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

*House of Assembly, 16 September 2021.*

MARK SHELTON, *Speaker*.

**24** PAPERS. – Mr *Street* laid upon the Table of the House the following Paper:-

Additional information provided to Estimates Committee A in respect of the Estimates of the Minister for Veterans’ Affairs.

**25** ADJOURNMENT. – A Motion being made - That the House do now adjourn. (The Attorney General)

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

The House adjourned at forty-six minutes past Five o'clock.

SHANE DONNELLY, *Clerk of the House*.

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MEMBERS. - All present during the day except Ms *Finlay* and Ms *Ogilvie*.

The Minister for Sport and Recreation, Minister for Racing, Minister for Women and Minister for Small Business attended Question Time.