



# HOUSE OF ASSEMBLY

SESSION OF 2021 - 2022

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 36

THURSDAY, 24 MARCH 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 LEAVE TO MAKE MOTION WITHOUT NOTICE. – A Motion being made and the Question being proposed - That Ms *White* have leave to make a Motion without Notice. (Ms *White*)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 9

NOES 10

*Dr Broad*

*Ms Archer*

*Ms Dow*

*Mr Barnett*

*Ms Haddad*

*Mr Ellis*

*Ms Johnston*

*Mr Ferguson*

*Mr O'Byrne*

*Mr Jaensch*

*Ms O'Byrne*

*Ms Ogilvie*

*Ms O'Connor*

*Mrs Petrusma*

*Ms White*

*Mr Rockliff*

*Ms Butler (Teller)*

*Mr Street*

*Mrs Alexander (Teller)*

#### PAIRS

*Ms Finlay*

*Mr Gutwein*

*Mr Winter*

*Mr Tucker*

So it passed in the Negative.

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

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

- (1) Response to Petition No. 15 of 2021 HA.
- (2) Response to Petition No. 16 of 2021 HA.
- (3) Response to Petition No. 17 of 2021 HA.

**7** PAPERS. – The Minister for Education, Children and Youth laid upon the Table of the House the following Paper:-

Australian Children's Education and Care Quality Authority: Annual Report 2020-2021.

**8** PAPERS. – The Clerk of the House laid upon the Table of the House the following Paper:-

Tasmanian Audit Office: Report of the Auditor-General No. 5 of 2021-22: Report on the Financial Statements of State entities, Volume 2 Audit of State entities and audited subsidiaries of State entities – 31 December 2020 and 30 June 2021. (Paper No. 14)

**9** BILL NO. 7. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council this day has agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to amend the Duties Act 2001, the First Home Owner Grant Act 2000, the HomeBuilder Grants Act 2020 and the Payroll Tax Rebate (Apprentices, Trainees and Youth Employees) Act 2017".

*Legislative Council, 24 March 2022.*

*C.M. FARRELL, President.*

**10** BILL NO. 48 of 2021. - A Message from the Legislative Council -

MR SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill, intituled - "A Bill for an Act to establish Stadiums Tasmania to oversee the sound use, management and development of major public stadiums and related assets in Tasmania and for related purposes".

*Legislative Council, 24 March 2022.*

*C.M. FARRELL, President.*

**11** BILL NO. 53 of 2021. - A Message from the Legislative Council. -

MR SPEAKER

The Legislative Council having this day agreed, with Amendments, to a Bill, intituled – “A Bill for an Act to amend the Education Act 2016, the Education and Care Services National Law (Application) Act 2011, the Office of Tasmanian Assessment, Standards and Certification Act 2003, the Teachers Registration Act 2000, the Training and Workforce Development Act 2013, the Vocational Education and Training (Commonwealth Powers) Act 2011 and associated statutory rules”,

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

*Legislative Council, 24 March 2022.*

*C.M. FARRELL, President.*

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

**12** 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)

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

**14** LEAVE TO MAKE MOTION WITHOUT NOTICE. – A Motion being made and the Question being proposed - That Ms O'Connor have leave to make a Motion without Notice. (Ms O'Connor)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 9

NOES 10

*Dr Broad*

*Ms Archer*

*Ms Dow*

*Mr Barnett*

*Ms Haddad*

*Mr Ellis*

*Ms Johnston*

*Mr Ferguson*

*Mr O'Byrne*

*Mr Jaensch*

*Ms O'Connor*

*Ms Ogilvie*

*Ms White*

*Mrs Petrusma*

*Mr Winter*

*Mr Rockliff*

*Ms Butler* (Teller)

*Mr Street*

*Mrs Alexander* (Teller)

#### PAIRS

*Ms O'Byrne*

*Mr Gutwein*

*Ms Finlay*

*Mr Tucker*

So it passed in the Negative.

**15** MATTER OF PUBLIC IMPORTANCE: ACHIEVEMENTS IN GOVERNMENT. – *Mrs Alexander*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Achievements in Government.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

**16** SESSIONAL ORDERS. – A Motion being made and the Question being proposed—That unless otherwise ordered, for the remainder of this Session:—

- (1) Standing Order 42 be amended by leaving out paragraph (c), and inserting the following new paragraph:—

“(c) Notwithstanding the provisions of paragraph (a) and the weekly rotations prescribed in paragraph (b):—

- (i) the Independent Member for Clark, may, once in every second rotation of ‘Week One’; and

- (ii) the Independent Member for Franklin, may, once in every second rotation of 'Week Two',
- call on an item of Private Members Business at Noon to 1.00 p.m.”
- (2) Standing Order 43 be amended by inserting the following new paragraph:—
- “( ) The duration of a Question shall not exceed 1 minute.”
- (3) Standing Order 45 be amended by inserting the following new paragraph:—
- “( ) Only one Point of Order made pursuant to this Standing Order may be taken per answer.”
- (4) Standing Order 46 be suspended.
- (5) Standing Order 48 be amended by leaving out, “When the Speaker considers a Minister or other Member has had sufficient time to answer a Question”, and inserting instead, “After the expiration of four minutes”.
- (6) Sessional Order 48A be amended by leaving out “the Independent Member for Clark if such Member seeks the call”, and insert instead, “each Independent Member, if such Members seek the call”. (The Minister for Infrastructure and Transport)

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** SESSIONAL ORDERS. – And the Question being again proposed;

The House resumed the Debate.

An Amendment was proposed by Mr *Winter*

In paragraph (3), to insert the words “, per Member” at the end of the sentence.

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

The House divided.

AYES 9

NOES 10

*Dr Broad*

*Ms Archer*

*Ms Dow*

*Mr Barnett*

*Ms Haddad*

*Mr Ellis*

*Ms Johnston*

*Mr Ferguson*

*Mr O'Byrne*

*Mr Jaensch*

*Ms O'Byrne*

*Ms Ogilvie*

*Ms O'Connor*

*Mrs Petrusma*

*Ms White*

*Mr Rockliff*

*Ms Butler* (Teller)

*Mr Street*

*Mrs Alexander* (Teller)

*Ms Finlay*

PAIRS

*Mr Gutwein*

*Mr Winter*

*Mr Tucker*

So it passed in the Negative.

And the Main Question being again proposed;

An Amendment was proposed by *Ms Johnston*

In paragraph (6), by leaving out all words after “each” and inserting instead:

“by the Independent Member for Clark and Independent Member for Franklin if such Members seek the call.”

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

It passed in the Negative.

And the Main Question being again proposed;

An Amendment was proposed by the Minister for Infrastructure and Transport

To leave out paragraphs (2), (3) and (5).

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

It was resolved in the Affirmative.

And the Main Question, as amended, being put;

It was resolved in the Affirmative.

*Resolved*, That unless otherwise ordered, for the remainder of this Session:—

- (1) Standing Order 42 be amended by leaving out paragraph (c), and inserting the following new paragraph:—
  - “(c) Notwithstanding the provisions of paragraph (a) and the weekly rotations prescribed in paragraph (b):—
    - (i) the Independent Member for Clark, may, once in every second rotation of ‘Week One’; and
    - (ii) the Independent Member for Franklin, may, once in every second rotation of ‘Week Two’,call on an item of Private Members Business at Noon to 1.00 p.m.”
- (2) Standing Order 46 be suspended.
- (3) Sessional Order 48A be amended by leaving out “the Independent Member for Clark if such Member seeks the call”, and insert instead, “each Independent Member, if such Members seek the call”.

**19** BILL NO. 6. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Tuesday, 22 March 2022 - That the Land Tax Rating Amendment Bill 2022 be now read the Second time;

And the Question being again proposed;

The House resumed the said adjourned Debate.

And the Question being put.

The House divided.

AYES 18

NOES 1

*Ms Archer*

*Ms O'Connor* (Teller)

*Mr Barnett*

*Dr Broad*

*Ms Butler*

*Ms Dow*

*Mr Ellis*

*Mr Ferguson*

*Ms Haddad*

*Mr Jaensch*

*Mr O'Byrne*

*Ms O'Byrne*

*Ms Ogilvie*

*Mrs Petrusma*

*Mr Rockliff*

*Mr Street*

*Ms White*

*Mr Winter*

*Mrs Alexander* (Teller)

It was resolved in the Affirmative.

And the Bill was, accordingly read a 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.

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(In the Committee)

*Mr Ellis* took the Chair.

Clauses 1 to 3 agreed to.

Clause 4 read.

Amendments proposed (*Ms O'Connor*).

First Amendment

To leave out paragraph (c) and insert instead:

“(c) by omitting “\$400 000 or more” from column 2 of item 3 in the table and substituting “\$500 000 - \$5 999 999.99”;

#### Second Amendment

Insert the following paragraph after paragraph (e):

“(f) by inserting the following item after item 3 in the table:

4.	\$6 000 000 or more	\$84 350 and 2.4 cents for each dollar of the assessed land value or apportioned assessed land value in excess of \$6 000 000
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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 Infrastructure and Transport)

Question put - That the Amendments be agreed to;

It passed in the Negative.

Clause 4, as read, agreed to.

Clause 5 agreed to.

Title agreed to.

Bill to be reported without Amendment.

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

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

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

**20** BILL NO. 6. - 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 Land Tax Rating Act 2000”,

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

*House of Assembly, 24 March 2022.*

MARK SHELTON, *Speaker*.

**21** BILL NO. 53 of 2021. - The House, according to Order, proceeded to take into consideration the Amendment made by the Legislative Council to the Education Legislation Amendment (Education Regulation) Bill 2021.

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(In the Committee)

Amendment

Clause 146

Page 138, proposed new section 6, subsection (4), paragraph (a), subparagraph (i), after sub-subparagraph (B).

Insert the following sub-subparagraph:

(C) relevant teaching skills and experience as a practicing teacher; and

Amendment agreed to.

Resolution to be reported.

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The House being resumed, Mr *Ellis* reported that the Committee had considered the Amendment to it referred, and had come to a certain Resolution which was read as follows:-

To agree to the Amendment of the Legislative Council.

*Resolved*, That the said Resolution be agreed to. (The Minister for Education, Children and Youth)

**22** BILL NO. 53 of 2021. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly doth agree to the Amendment made by the Legislative Council to the Bill intituled-

“A Bill for an Act to amend the Education Act 2016, the Education and Care Services National Law (Application) Act 2011, the Office of Tasmanian Assessment, Standards and Certification Act 2003, the Teachers Registration Act 2000, the Training and Workforce Development Act 2013, the Vocational Education and Training (Commonwealth Powers) Act 2011 and associated statutory rules”.

*House of Assembly, 24 March 2022.*

MARK SHELTON, *Speaker*

**23** ADJOURNMENT. – A Motion being made - That the House do now adjourn (The Minister for Education, Children and Youth)

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

The House adjourned at twenty-two minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House.*

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MEMBERS. - All present during the day except Ms *Finlay*, Mr *Gutwein*, Mr *Tucker* and Dr *Woodruff*.

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MESSAGE.

Barbara Baker, *Governor*.

A Bill for an Act to establish a container refund scheme to reduce litter in Tasmania and increase the recovery and recycling of containers (Bill No. 54 of 2021) (*Act No. 5 of 2022*))

A Bill for an Act to encourage the diversion of waste from landfill, increase the recovery of resources from waste, impose a levy on waste received at a landfill facility and provide for a rebate in relation to that levy in certain circumstances, provide for standards and guidelines to be made in relation to landfill and resource recovery facilities, establish the Tasmanian Waste and Resource Recovery Board, and for related purposes (Bill No. 55 of 2021) (*Act No. 6 of 2022*))

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, 29 March 2022.*

MESSAGE.

Barbara Baker, *Governor*.

A Bill for an Act to establish Stadiums Tasmania to oversee the sound use, management and development of major public stadiums and related assets in Tasmania and for related purposes (Bill No. 48 of 2021) (*Act No. 7 of 2022*))

A Bill for an Act to amend the Duties Act 2001, the First Home Owner Grant Act 2000, the HomeBuilder Grants Act 2020 and the Payroll Tax Rebate (Apprentices, Trainees and Youth Employees) Act 2017 (Bill No. 7 (*Act No. 8 of 2022*))

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, 5 April 2022.*

MESSAGE.

Barbara Baker, *Governor*.

A Bill for an Act to amend the Education Act 2016, the Education and Care Services National Law (Application) Act 2011, the Office of Tasmanian Assessment, Standards and Certification Act 2003, the Teachers Registration Act 2000, the Training and Workforce Development Act 2013, the Vocational Education and Training (Commonwealth Powers) Act 2011 and associated statutory rules (Bill No. 53 of 2021) (*Act No. 9 of 2022*))

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, 12 April 2022.*

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PARLIAMENT OF TASMANIA

A PROCLAMATION

WHEREAS it is expedient that the Parliament of Tasmania be prorogued, I, the Honourable Barbara Baker, Companion of the Order of Australia, Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, exercising the power and authority vested in me by the Constitution Act 1934, hereby prorogue the Parliament effective from 6.00 pm this day.

And I hereby fix 11.00 am on Tuesday 3 May 2022 in the Houses of Parliament situated in the City of Hobart in Tasmania as the time and place for the next Session of Parliament.

GIVEN under my hand at Hobart in Tasmania on 5 April 2022.

BARBARA BAKER, Governor.

By Her Excellency's Command,

PETER CARL GUTWEIN, Premier.