



HOUSE OF ASSEMBLY

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 45

THURSDAY, 28 NOVEMBER 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 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice were asked.
- 5 PAPERS. – The Premier laid upon the Table of the House the following Papers:-
 - (1) Official Gifts Given Register – Hodgman Government 1 November 2018 – 31 October 2019.
 - (2) Official Gifts Received Register – Hodgman Government 1 November 2018 – 31 October 2019.
- 6 PAPERS. – The Treasurer laid upon the Table of the House the following Paper:-

Answer to Question on Notice No. 74.
- 7 PAPERS. – The Attorney-General laid upon the Table of the House the following Papers:-
 - (1) The Anti-Discrimination Tribunal: Annual Report 2018-2019.
 - (2) Magistrates Court of Tasmania: Annual Report 2018-2019.
 - (3) Office of the Public Guardian Tasmania: Annual Report 2018-2019.
 - (4) Supreme Court Tasmania: Annual Report 2018-2019.
- 8 PAPERS. – The Minister for Primary Industries and Water laid upon the Table of the House the following Papers:-
 - (1) Land Acquisition Act 1993 Section 18:
 - (i) Notice of Acquisition dated 11 July 2018, land situate in the Parish of Ormaig, Parish of Yarlington, Land District of Monmouth, Municipal Area of Southern Midlands, Lot 5 on Plan of Survey P175223, registered in the names of Serok Roni Kurdistan and Gulnaz Akbal-Dogan for road purposes;

- (ii) Notice of Acquisition dated 11 July 2018, Parish of Ormaig, Land District of Monmouth, Municipal Area of Southern Midlands, Lot 1 on Plan of Survey P175262, registered in the name of Hardwicke House Pty Ltd for road purposes;
- (iii) Notice of Acquisition dated 11 July 2018, Parish of Ormaig, Land District of Monmouth, Municipal Area of Southern Midlands, Lot 4 on Plan of Survey P175223, registered in the names of Vanessa Louise Bresnehan and James Michael Bresnehan for road purposes;
- (iv) Notice of Acquisition dated 11 July 2018, Parish of Ormaig, Land District of Monmouth, Municipal Area of Southern Midlands, Lot 1 on Plan of Survey P 175223, registered in the name of Rosemary Anne Bresnehan for road purposes;
- (v) Notice of Acquisition dated 2 October 2018, land situate in the Parish of Frampton, Land District of Cornwell, Municipality of Break O'Day, Lot 2 on Plan of Survey P175541, registered in the names of Revel Andre Alexander Munro and Helen Merilyn Munro for road purposes;
- (vi) Notice of Acquisition dated 5 December 2018, land situate in the Parish of Broomsgrove, Parish of Chesterfield, Parish of Fingal, Land District of Cornwall, Municipal Area of Break O'Day, Lots 1, 2 3 and 4 on Plan of Survey P174261, registered in the name of Robert David Marshall for road purposes;
- (vii) Notice of Acquisition dated 11 April 2019, land situate in the Parish of North Bruny, Land District of Buckingham, Municipal Area of Kingborough, Lot 101 on Plan of Survey P175638, registered in the name of Ocean Lennonville Pty Ltd for road purposes; and
- (viii) Notice of Acquisition dated 15 April 2019, land situate in the City of Clarence, Municipal Area of Clarence, Lot 100 on Plan of Survey P176003, registered in the name of Linear Capital Pty Ltd for road purposes.

9 PAPERS. – The Minister for Health laid upon the Table of the House the following Papers:-

- (1) Public Health Act 1997: Public Health (Smoking Product Licence) Regulations 2019 (Statutory Rules 2019, No.)
- (2) Administrator National Health Funding Pool: Annual Report 2018-2019.
- (3) Australian Health Practitioner Regulation Agency and National Boards: Annual Report 2018-2019.
- (4) Answer to Question on Notice 69.
- (5) Answer to Question on Notice 70.
- (6) Answer to Question on Notice 71.

10 INTEGRITY, JOINT STANDING COMMITTEE ON: REPORT. – Ms *Houston* brought up the following Report of the Joint Standing Committee on Integrity:

Annual Report 2019 (Paper No. 27).

Ordered, That the said Report be received and printed. (Ms *Houston*)

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

Report of the Auditor-General No. 6 of 2019-20 – Financial Statements of State Entities Volume 2.

12 BILL NO. 52. – The Premier presented -

“A Bill for an Act to amend the State Service Act 2000 and the State Service Regulations 2011”.

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

13 BILL NO. 58. – Ms *O'Connor* presented -

“A Bill for an Act to repeal the Workplace (Protection from Protesters) Act 2014 and to revoke certain legislative instruments consequent on that repeal.”

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

14 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)

15 ORDER OF BUSINESS AND ADJOURNMENT. - *Ordered*, That:

- (1) For this day's sitting the time normally provided for the Matter of Public Importance be forgone and that the house instead proceed with Government Business.
- (2) The House, at its rising, adjourn till Tuesday, 3 March next. (The Minister for Infrastructure and Transport)

16 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.

It was resolved in the Affirmative.

17 SUSPENSION OF STANDING ORDERS. – A Motion being made and the Question being proposed - That so much of Standing Orders be suspended as would prevent a Motion of Censure in the Minister for Police, Fire and Emergency Management, of which notice has been given this day, from being brought on for debate forthwith. (Ms *White*)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 10

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

NOES 12

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Ms Ogilvie
Mrs Petrusma
Mr Rockliff
Mr Shelton
Mr Tucker
Mrs Rylah (Teller)

PAIRS

Ms Houston

Ms Archer

The Speaker said – “This Motion requires a two-thirds majority to be agreed to, so the Question therefore passes in the Negative.”

18 BILL NO. 41. - 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 Public Sector Superannuation Reform Act 2016".

Legislative Council, 28 November 2019.

C.M. FARRELL, *President.*

19 BILL NO. 42. - 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 make provision for the establishment and management of cemeteries and crematoria, to provide for, and regulate, the handling and storage of human remains and to repeal the Burial and Cremation Act 2002".

Legislative Council, 28 November 2019.

C.M. FARRELL, *President.*

20 BILL NO. 45. - 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 Poisons Act 1971".

Legislative Council, 28 November 2019.

C.M. FARRELL, *President.*

21 BILL NO. 54. - The Order of the Day being read for the Committal to a Committee of the whole House of the Workplace (Protection from Protesters) Amendment Bill 2019;

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

(In the Committee)

Clauses 1 read.

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.

Mrs *Rylah* took the Chair.

Clause 1, as read, further considered.

BILL NO. 54. - DECLARED URGENT. – The Minister for Primary Industries and Water declared the Workplaces (Protection from Protesters) Amendment Bill 2019 to be an Urgent Bill.

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

The Committee divided.

AYES 10

Mr *Barnett*
Ms *Courtney*
Mr *Ferguson*
Mr *Gutwein*
Mr *Hodgman*
Mr *Jaensch*
Ms *Ogilvie*
Mr *Shelton*
Mr *Tucker*
Mrs *Petrusma* (Teller)

NOES 10

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

PAIRS

Ms *Archer*
Mr *Rockliff*

Ms *Dow*
Ms *Houston*

DEPUTY CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Deputy Chair of Committees said: “The result of the division is 10 Ayes and 10 Noes. 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 Six o'clock p.m. today. (The Minister for Primary Industries and Water)

A debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

Clause 1, as read, further considered.

Mr *Tucker* took the Chair.

Clause 1, as read, further considered and agreed to.

Clause 2 to 3 agreed to.

Clause 4 read.

The Chair of Committees took the Chair.

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

The Committee divided.

AYES 10

Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hodgman
Mr Jaensch
Ms Ogilvie
Mr Shelton
Mr Tucker
Mrs Rylah (Teller)

NOES 10

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

PAIRS

Ms Archer
Mr Rockliff

Dr Broad
Ms Houston

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: “The result of the division is 10 Ayes and 10 Noes. I cast my vote with the Ayes.”

It was resolved in the Affirmative.

Clauses 5 to 9 agreed to.

Clause 10 read.

Mrs Rylah took the Chair.

Clause 10, 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 the title be agreed to;

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

The Committee divided.

AYES 10

Mr *Barnett*
 Ms *Courtney*
 Mr *Ferguson*
 Mr *Gutwein*
 Mr *Hodgman*
 Mr *Jaensch*
 Ms *Ogilvie*
 Mr *Shelton*
 Mr *Tucker*
 Mrs *Petrusma* (Teller)

NOES 10

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

PAIRS

Ms *Archer*
 Mr *Rockliff*

Ms *Butler*
 Ms *Houston*

DEPUTY CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Deputy Chair of Committees said: “The result of the division is 10 Ayes and 10 Noes. I cast my vote with the Ayes.”

It was resolved in the Affirmative.

Bill to be reported without Amendment.

The House being resumed, Mrs *Rylah* reported that the Committee had gone through the Bill, and had directed her 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 10

Mr *Barnett*
 Ms *Courtney*
 Mr *Ferguson*
 Mr *Gutwein*
 Mr *Hodgman*
 Mr *Jaensch*
 Ms *Ogilvie*
 Mr *Shelton*
 Mr *Tucker*
 Mrs *Rylah* (Teller)

NOES 10

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

PAIRS

Ms *Archer*
 Mr *Rockliff*

Ms *Butler*
 Ms *Houston*

DEPUTY SPEAKER GIVES CASTING VOTE. – The Deputy Speaker said: “The result of the division is 10 Ayes and 10 Noes. I cast my vote with the Ayes.”

It was resolved in the Affirmative.

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

22 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 Workplaces (Protection from Protesters) Act 2014”,

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

House of Assembly, 28 November 2019.

SUE HICKEY, *Speaker.*

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

The House adjourned at thirty-five minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House.*

MEMBERS. - All present during the day.