



# HOUSE OF ASSEMBLY

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 56

THURSDAY, 4 JUNE 2020

- 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 PETITION. – Ms *O'Connor* presented a Petition from approximately 3,257 residents of Tasmania, requesting that the House vote against the Workplaces (Protection from Protesters) Amendment Bill 2019 (HA3/2020).
- 6 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 16 – State Service Act 2000.
  - (2) COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice under Section 13 – Land Use Planning and Approvals Act 1993.
  - (3) COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice under Section 19 – Land Use Planning and Approval Act 1993.
  - (4) COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020: Notice under Section 19 – Water Management Act 1999.
- 7 PAPERS. – The Attorney-General laid upon the Table of the House the following Paper:-

Theatre Royal Management Board: Annual Report 2019.
- 8 SUBORDINATE LEGISLATION, PARLIAMENTARY STANDING COMMITTEE ON: REPORTS. – Mr *Tucker* brought up the following Report of the Parliamentary Standing Committee on Subordinate Legislation:

Scrutiny of Notices Issued under the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 – Report No. 4. (Paper No. 10)

*Ordered*, That the said Report be received. (Mr *Tucker*)

- 9 JOINT SELECT COMMITTEE ON TASMANIA'S COVID-19 RESPONSE AND RECOVERY. - A Message from the Legislative Council -

MADAM SPEAKER,

The Legislative Council having this day agreed to the following Resolution, now transmits the same to the House of Assembly, and to request its concurrence therein: -

“*Resolved*, That noting the significant impact of the COVID-19 pandemic on the lives of Tasmanians and given the emergency response by the Tasmanian Government including Coronavirus related expenditure, legislative and public policy developments, that a Joint Select Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House, with leave to adjourn from place to place and with leave to report from time to time to inquire into and report upon:-

- (1) (a) the State’s immediate and ongoing COVID-19 response and recovery measures;
  - (b) the impact of the COVID-19 pandemic on the health, economic and social lives of Tasmanians; and
  - (c) any other matter incidental thereto; and
- (2) That the number of Members to serve on the said Committee on the part of the Legislative Council be four.”

*Legislative Council, 3 June 2020.*

C.M. FARRELL, *President.*

*Ordered*, That the said Message be taken into consideration forthwith. (The Premier)

A Motion being made and the Question being proposed—That the Resolution of the Legislative Council be disagreed to. (The Premier)

A debate arose thereupon.

And the Question being put;

The House divided.

AYES 11

Ms Archer  
Ms Courtney  
Mr Ferguson  
Mr Gutwein  
Mr Jaensch  
Mrs Petrusma  
Mr Rockliff  
Mr Shelton  
Mr Street  
Mr Tucker  
Mrs Rylah (Teller)

NOES 11

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

PAIRS

Mr Barnett

Ms O’Byrne

SPEAKER GIVES CASTING VOTE. – The Speaker said: “The result of the division is 11 Ayes and 11 Noes. Therefore, under Standing Order 167, I cast my vote. As has been tradition in this position, I give a reason for why I have cast my vote.

I do beg of the House to hear me out. Previously when I have given a decision there has been gnashing of teeth and throwing of papers, et cetera, et cetera, and I am asking for all the passion in the room just to remain calm.

As everyone would know I have been on record as a vehement critic of the Government, often referred to as a rebel or a rogue, and lots of other things less pleasant. But, in this particular case, I do support the strong transparency and appropriate scrutiny of the Government and its actions, and also the support of the other parties and Independent in making sure that Tasmania got through this dreadful situation.

We have all heard and seen the Premier provide a significant level of accessibility and accountability to the Tasmanian community and not only that to each of the Leaders, to Ms Ogilvie and to myself, taking phone calls at all sorts of strange hours of the day and night.

After being adjourned until August the parliament was recalled early and I believe on the urging of the opposition parties and the Independent as well. Thank you for that. Only four parliamentary sitting days have been lost when compared to the original sitting schedule for the year.

I am aware that the Joint Standing Committee on Subordinate Legislation is regularly scrutinising all notices made under COVID emergency legislation. The committee is chaired by the Deputy President of the Legislative Council, the Honourable Ruth Forrest MLC, who I think we all agree is a formidable fellow champion of good governance and scrutiny. The committee is conducting regular inquiries and the Premier has already appeared before it along with other ministers and departmental officials and, most importantly, he has committed to appear whenever requested again.

The Government has also committed to a separate independent inquiry to the north-west outbreaks, and the Premier has also committed to appear before the Parliamentary Standing Committee of Public Accounts at regular intervals on an ongoing basis and did so recently with the Secretary of Treasury. I am informed that these are the most powerful committees within the parliamentary system. I also note that a number of other jurisdictions across Australia are also using standing committees similar to the function of our joint Public Accounts Committee to conduct their inquiries into government responses.

Given that the Public Accounts Committee is the only joint House committee of this parliament with its own enabling legislation, and is well supported by the Auditor-General of Tasmania, it is the most powerful committee of this parliament, and I have full confidence in its operations.

With this in mind another new select committee as per the upper House motion, which I totally commend Ms Webb for bringing this on; I am a huge believer in scrutiny and accountability and I think my record would state that, but I am in a situation where we have had scrutiny by the media over and over, we have had scrutiny here on the Floor, and I believe there are sufficient scrutiny and accountability mechanisms already in place.

What I truly believe is that the mum and dad voters want us to rebuild this state and return Tasmania to the Tasmanian place we know and love, to get people back to work, to get them into homes, all of the things which I commend everyone on this side for supporting. We cannot be distracted by a fourth inquiry. It would be expensive and wasteful. We have to rebuild this economy and no minute should be lost in doing so.

On that basis I will be supporting the Government and I cast my vote with the Ayes.”

It was resolved in the Affirmative.

**10 JOINT SELECT COMMITTEE ON TASMANIA’S COVID-19 RESPONSE AND RECOVERY. - A Message to the Legislative Council. -**

MR PRESIDENT

The House of Assembly has disagreed to the following Resolution communicated to it by the Legislative Council on 3 June 2020:-

*Resolved*, That noting the significant impact of the COVID-19 pandemic on the lives of Tasmanians and given the emergency response by the Tasmanian Government including Coronavirus related expenditure, legislative and public policy developments, that a Joint Select Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House, with leave to adjourn from place to place and with leave to report from time to time to inquire into and report upon:-

- (1)
  - (a) the State's immediate and ongoing COVID-19 response and recovery measures;
  - (b) the impact of the COVID-19 pandemic on the health, economic and social lives of Tasmanians; and
  - (c) any other matter incidental thereto; and
- (2) That the number of Members to serve on the said Committee on the part of the Legislative Council be four."

*House of Assembly, 4 June 2020.*

SUE HICKEY, *Speaker.*

**11** 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)

**12** ADJOURNMENT. - *Ordered*, That the House, at its rising, adjourn till Wednesday, 24 June next. (The Minister for Infrastructure and Transport)

**13** ADJOURNMENT. – In accordance with Sessional Orders, the House proceeded to take note of the COVID-19 Emergency, following which, Adjournment issues were raised.

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

The House adjourned at two minutes past Three o'clock.

SHANE DONNELLY, *Clerk of the House.*

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MEMBERS. - All present during the day except Mr *Barnett* and Ms *O'Byrne*.