



# HOUSE OF ASSEMBLY

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 75

WEDNESDAY, 11 NOVEMBER 2020

- 1 The House met at Twelve o'clock noon.
- 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 Paper:-  
  
Department of Premier and Cabinet: Amended Financial Statement page of Department of Premier and Cabinet Annual Report.
- 6 PAPERS. – The Deputy Premier laid upon the Table of the House the following Papers:-
  - (1) Tasmanian Building and Construction Industry Training Board: Annual Report 2019-2020.
  - (2) Department of Health: Government Response to The Child and Adolescent Mental Health Services Review and Recommendations November 2020.
  - (3) Tasmanian Health Services: Tasmanian Mental Health Reform Project – The Child and Adolescent Mental Health Services Review.
- 7 BILL NO. 49 of 2019. - A Message from the Legislative Council. -

MADAM SPEAKER

The Legislative Council having this day agreed, with Amendment, to a Bill, intituled -

“A Bill for an Act to amend the Police Offences Act 1935 to repeal the offence of begging and to amend the powers of police to disperse persons”,

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

*Legislative Council, 11 November 2020.*

*C.M. FARRELL, President.*

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

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

MADAM 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, 11 November 2020.*

C.M. FARRELL, *President.*

*Ordered*, That the abovementioned message be taken into consideration forthwith (The Minister for Infrastructure and Transport).

*Resolved*, That the Resolution of the Legislative Council be agreed to. (The Minister for Infrastructure and Transport)

**9** 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 11 November 2020.

*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, 11 November 2020.*

SUE HICKEY, *Speaker.*

**10** 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)

**11** ATTENDANCE OF LEGISLATIVE COUNCIL MEMBERS FOR BUDGET PROCEEDINGS. - *Resolved*, That the House of Assembly requests that:-

- (1) All Members of the Legislative Council attend in the House of Assembly Chamber following the First reading of the Appropriation Bills (No. 1 and No. 2) 2020 for the purpose of listening to the speech by the Premier & Treasurer in relation to the Tasmanian Budget 2020-21.
- (2) The Legislative Council gives leave to the Honourable the Minister for Racing and Minister for Sport and Recreation, to appear before, and give evidence to, the relevant Estimates Committee of the House of Assembly in relation to the Budget Estimates and related documents. (The Minister for Infrastructure and Transport)

**12** ATTENDANCE OF LEGISLATIVE COUNCIL FOR BUDGET PROCEEDINGS. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly having passed the following Resolution begs now to transmit the same to the Legislative Council and to request its concurrence therein: -

The House of Assembly requests that:-

- (1) All Members of the Legislative Council attend in the House of Assembly Chamber following the First reading of the Appropriation Bills (No. 1 and No. 2) 2020 for the purpose of listening to the speech by the Premier & Treasurer in relation to the Tasmanian Budget 2020-21.
- (2) The Legislative Council gives leave to the Honourable the Minister for Racing and Minister for Sport and Recreation, to appear before, and give evidence to, the relevant Estimates Committee of the House of Assembly in relation to the Budget Estimates and related documents.

*House of Assembly, 11 November 2020.*

SUE HICKEY, *Speaker.*

**13** SUSPENSION OF SITTING. - *Ordered*, That the Speaker leave the Chair until the ringing of the Division Bells. (The Minister for Infrastructure and Transport)

At thirteen minutes past One o'clock the Speaker left the Chair.

At thirty-four minutes past One o'clock the Speaker resumed the Chair.

**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** APPROPRIATION BILLS (NUMBERS 1 AND 2) 2020: PRECEDENCE OF GOVERNMENT BUSINESS.- *Ordered*, that Government Business take precedence from such time as the Appropriation Bill (No. 1) 2020 and the Appropriation Bill (No. 2) 2020 are introduced, until the House has dealt with all business associated with the Budget. (The Minister for Infrastructure and Transport)

**16** APPROPRIATION BILLS (NUMBERS 1 AND 2) 2020: ALLOTMENT OF TIME FOR DEBATE AND ESTABLISHMENT OF ESTIMATES COMMITTEES. – A Motion being made and the Question being proposed - That:-

- (a) all stages of the Appropriation Bill (No. 1) 2020 and the Appropriation Bill (No. 2) 2020 shall have allotted a maximum total of 97 hours as follows:
  - (i) up to the Second Reading: Maximum 16 hours;
  - (ii) in the Estimates Committees: Maximum 63 hours; and
  - (iii) in Committee of the whole House and Third reading: Maximum 18 hours;
- (b) on the Second reading, the Premier and the Leader of the Opposition have unlimited speaking time and other Members speak for not longer than 30 minutes each;
- (c) when the Appropriation Bills (No. 1 and No. 2) 2020 have been read the Second time in the House of Assembly, the Bills be referred to Estimates Committees A and B of the House of Assembly.

Such Committees may not vote on, but may examine and report upon the proposed expenditures contained in the Bills by no later than 1 December 2020, with such expenditures being considered on an output by output basis, including Grants, Subsidies and Loans and the Capital Investment Program.

The following Ministerial portfolio units are allocated to House of Assembly Estimates Committee A:—

Date	Minister
Monday, 23 November 0900 – 1300 Premier (4 hours) 1400 – 1800 Treasury (4 hours) 1800 – 1830 Climate Change (0.5 hour) 1830 – 1900 Prevention of Family Violence (0.5 hour) 1900 – 2000 Tourism (1 hour)	Hon. Peter Gutwein MP
Tuesday, 24 November 0900 – 1000 Finance (1 hour) 1000 – 1300, 1400 – 1500 Infrastructure & Transport (4 hours) 1500 – 1700 State Growth (2 hours) 1700 – 1730 Science and Technology (0.5 hour)	Hon. Michael Ferguson MP
Wednesday, 25 November 0900 – 1030 Human Services (1.5 hours) 1030 – 1300 Housing (2.5 hours) 1400 – 1430 Aboriginal Affairs (0.5 hour) 1430 – 1630 Environment & Parks (2 hours) 1630 – 1730 Planning (1 hour)	Hon. Roger Jaensch MP
Thursday, 26 November 0900 – 1200 Primary Industries and Water (3 hours) 1200 – 1300, 1400 – 1430 Resources (1.5 hours) 1430 – 1500 Veterans' Affairs (0.5 hour) 1500 – 1700 Energy (2 hours)	Hon. Guy Barnett MP

House of Assembly Estimates Committee B:—

Date	Minister
Monday, 23 November 0900 – 1300, 1400 – 1600 Health (6 hours) 1600 – 1800 Small Business, Hospitality and Events (2 hours) 1800 – 1830 Women (0.5 hour) 1830 - 1900 Strategic Growth (0.5 hour)	Hon. Sarah Courtney MP
Tuesday, 24 November 0900 – 1230 Education and Training (3.5 hours) 1230 – 1300, 1400-1430 Disability Services and Community Development (1 hour) 1430 – 1530 Trade (1 hour) 1530 – 1600 Advance Manufacturing and Defence Industries (0.5 hour) 1600 – 1800 Mental Health and Wellbeing (2 hours)	Hon. Jeremy Rockliff MP
Wednesday, 25 November 0900 – 1130 Attorney-General and Justice (2.5 hours) 1130 – 1300, 1400 – 1430 Corrections (2.0 hours) 1430 – 1600 Building and Construction (1.5 hours) 1600-1630 Arts (0.5 hour) 1630 – 1730 Heritage (1 hour)	Hon. Elise Archer MP

Date	Minister
Thursday, 26 November	
0900 – 1130 Police, Fire and Emergency Management (2.5 hours)	Hon. Mark Shelton MP
1130 – 1300, 1400 – 1430 Local Government (2 hours)	
1430 – 1530 Racing (1 hour)	
1530 – 1630 Sport and Recreation (1 hour)	Hon. Jane Howlett MLC

#### MEMBERSHIP OF COMMITTEES - HOUSE OF ASSEMBLY ESTIMATES

- (1) Estimates Committee A consists of the following Members:

The Chair of Committees (Chair);  
 Mr *Ellis* (Deputy-Chair);  
 One member nominated by the Leader of the Opposition; and  
 Ms *O'Connor*.

- (2) Estimates Committee B consists of the following Members:

Mr *Street* (Chair);  
 Mr *Tucker* (Deputy-Chair);  
 One member nominated by the Leader of the Opposition; and  
 Dr *Woodruff*.

- (3) Members of the House who have not been appointed as Members of the Committee, may participate in proceedings by asking questions, but not more than two in succession; and may not vote, move any motion or be counted for the purposes of a quorum.
- (4) The Chair of a Committee has a deliberative and a casting vote.
- (5) During sittings, substitute Members may be allowed.
- (6) If a vacancy occurs in the membership of a Committee, the Speaker may nominate a Member in substitution, but in so doing has regard to the composition of the Committee as appointed by the House.
- (7) A Committee may proceed with business despite a vacancy in its membership.
- (8) The quorum of a Committee is a majority of the Committee.
- (9) If at any time a quorum is not present, the Chair will suspend proceedings of the Committee until a quorum is present or adjourn the Committee.
- (10) Any time lost for lack of a quorum shall be added to the time allocated to that session.

#### SITTING TIMES

- (1) Each Estimates Committee meets only in accordance with the abovementioned time-table adopted by the House or as varied by the Chair.
- (2) Estimates Committees may sit only when the House is not sitting.

#### OPEN HEARINGS

All hearings of the Estimates Committees are open to the public.

## PROCEEDINGS OF AN ESTIMATES COMMITTEE

- (1) Consideration of proposed expenditures in an Estimates Committee follows as far as possible the procedure observed in a Committee of the whole House.
- (2) A Committee will consider expenditures on an output by output basis, including Grants, Subsidies and Loans and the Capital Investment Program.
- (3) A Committee may ask for explanations from a Minister relating to the outputs.
- (4) The Minister who is asked for explanations may be assisted where necessary by officers in the provision of factual information.
- (5) Officers may answer questions at the request of the Minister but shall not be required to comment on policy matters.
- (6) Time limits of one minute for a question and three minutes for an answer shall apply in Estimates Committees.
- (7) Questions may be asked on a ratio of three Opposition, one Green and one Government, or in such form as the Committee determines.
- (8) A Minister may advise an Estimates Committee that an answer to a question, or part of a question, asked of the Minister will be given later to the Committee, where possible that Committee sitting day.
- (9) A Minister may provide additional information to a Committee about an answer given by or for the Minister.
- (10) Additional information -
  - (a) is to be written;
  - (b) is to be given by a time decided by the Committee; and
  - (c) may be included in a volume of additional information laid on the Table of the House by the Committee.
- (11) If any Member persistently disrupts the business of an Estimates Committee, the Chair-
  - (a) names the Member;
  - (b) if the Member named is a Member of the Estimates Committee, suspends the sitting of the Estimates Committee until the Chair has reported the offence to the Speaker; and
  - (c) if the Member named is not a Member of the Estimates Committee, orders that Member's withdrawal from the sitting of the Committee until the Chair has reported the offence to the Speaker;

as soon as practicable, the Chair advises the Speaker who then gives notice that the Member of the Estimates Committee be replaced.

- (12) If any objection is taken to a ruling or decision of the Chair -
  - (a) the objection must be taken at once and stated in writing;
  - (b) the Chair, as soon as practicable, advises the Speaker who makes a ruling on the matter; and

- (c) the Estimates Committee may continue to meet but may not further examine the output then under consideration.

(13) Television coverage will be allowed, subject to the same conditions that apply to televising of the House of Assembly.

#### HANSARD REPORT

An unedited transcript of Estimates Committee proceedings is to be circulated, in a manner similar to that used for the House Hansard, as soon as practicable after the Committee's proceedings.

#### REPORTS OF ESTIMATES COMMITTEES

- (1) A report of an Estimates Committee is presented by the Chair or Deputy Chair of that Committee to a Committee of the whole House, such reports containing any resolution or expression of opinion of that Committee.
- (2) When the reports of the Estimates Committees are presented they may be taken into consideration at once or at a future time.
- (3) The following time limit applies to consideration of reports of Estimates Committees on each portfolio unit on the question "That the proposed expenditures be agreed to and that the resolutions or expressions of opinion agreed to by the Committees in relation to those expenditures be noted."

One Minister, the Leader of the Opposition or Member deputised by the Leader - 20 minutes, any other Member - 10 minutes. A maximum period for consideration of 2 hours for each Minister.

- (4) When the consideration of reports of Estimates Committees A and B has been completed, the question is proposed and put forthwith without debate "That the remainder of the Bills be agreed to."
- (5) When the Bills have been agreed to by the House, the Third reading of each Bill may be taken into consideration at once or made an order of the day for the next sitting day. (The Minister for Infrastructure and Transport)

**17 MEMBERS SUSPENDED.** – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Clark, Ms *O'Connor*, and the Honourable Member for Franklin, Dr *Woodruff* to withdraw from the House until fifty-five minutes past Two o'clock owing to repeated interjections.

**18 APPROPRIATION BILLS (NUMBERS 1 AND 2) 2020: ALLOTMENT OF TIME FOR DEBATE AND ESTABLISHMENT OF ESTIMATES COMMITTEES.** – And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

It was resolved in the Affirmative.

**19 SUSPENSION OF SITTING.** – According to order, at fifty-nine minutes past One o'clock the Speaker left the Chair.

At fifty-five minutes past Two o'clock the Speaker resumed the Chair.

**20 PAPERS.** – The Minister for Infrastructure and Transport laid upon the Table of the House the following Paper:-

Marine and Safety Authority Act 1997: Marine and Safety (Motor Boats and Licences) Amendment By-Laws 2020.

**21** MATTER OF PUBLIC IMPORTANCE: HOUSING. – Ms *Standen*, in accordance with Standing Orders, moved - That the House take note of the following matter:

Housing.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

**22** BILL NO. 45. – The Order of the Day being read for the Second reading of the Electoral Amendment (Electoral Expenditure and Political Donations) Bill 2020.

And a Motion being made, and the Question being proposed – That the Bill be now read the Second time. (Ms *Haddad*)

A debate arose thereupon.

And the Attorney-General was addressing the Chair.

**23** ABORIGINAL FLAG AT PARLIAMENT HOUSE. – A Motion being made and the Question being proposed – That the House:

- (1) Notes the theme for NAIDOC Week 2020 is “always ways, always will be.”
- (2) Recognises that First Nations people have occupied and cared for this continent for over 65,000 years – the oldest continuing culture in the world.
- (3) Further recognises that European invasion saw brutally violent and systematic atrocities inflicted on Aboriginal Tasmanians.
- (4) Acknowledges these atrocities have been followed by decades of dispossession and oppression – much of it perpetrated or condoned by governments, both State and Federal.
- (5) Further acknowledges that, despite this tragic recent history and enduring injustice, the palawa/pakana people and their culture remains strong.
- (6) Understands that lutruwita/Tasmania is still, and will always be, Aboriginal land.
- (7) Further understands that all people, but particularly elected representatives, have a responsibility to recognise and respect this fact.
- (8) Further notes the Tasmanian Parliament does not currently recognise this fact at the most basic level – by flying the Aboriginal flag throughout the year.
- (9) Calls for the Aboriginal flag to be flown over Parliament House whenever the Tasmanian State Flag is raised. (Ms *O'Connor*)

A debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

**24** 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 Seven o'clock.

SHANE DONNELLY, *Clerk of the House.*

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MEMBERS. - All present during the day.