



HOUSE OF ASSEMBLY

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

TASMANIA

NOTICES OF MOTION AND ORDERS OF THE DAY

No. 26

THURSDAY, 25 NOVEMBER 2021

(At 10:00 o'clock a.m.)

Notices of Motion tabled prior to 23 November are published at:
<https://www.parliament.tas.gov.au/ha/pdf/hamot.pdf>

Notices of Motion

60 Ms *Finlay* to move—That the House:—

- (1) Recognises that:—
 - (a) many business operators around Tasmania are still paving the way through unfamiliar territory in respects to COVID-19 and will continue to do so when the border reopens on 15 December 2021' and
 - (b) many have been and continue to be adversely affected – emotionally and financially.
- (2) Notes that:—
 - (a) we cannot become complacent, must remain vigilant with the use of COVID-19 check-in app, by being vaccinated and adhering to good hand hygiene and social distancing practices;
 - (b) there are concerns from tourism and hospitality operators about attracting new and former employees back to industry; and
 - (c) that many small businesses, who have been impacted by COVID-19, cannot afford to close again during their peak season of summer 2021-2022.
- (3) Calls on the Government to provide clarity and clearer guidelines to operators around what will happen if we are forced into localised lockdowns. (23 November 2021)

61 Ms *O'Connor* to move—That the House:—

- (1) Notes the:—
 - (a) decision of the Attorney-General, Hon. Elise Archer MP to only raise the age of criminal responsibility to 12, instead of 14; and
 - (b) the ACT has decided to raise the age of criminal responsibility to 14.
- (2) Understands that raising the age of criminal responsibility is designed to prevent the incarceration of children, who have not developed adult decision-making capabilities.
- (3) Notes that contemporary evidence shows children under 14 have immature brain development in terms of decision-making, impulse control, and moral awareness – as recognised by the United Nations Child Rights Committee and the Royal Australasian College of Physicians.
- (4) Recognises that:—
 - (a) experts and advocates have called for the age of criminal responsibility to be raised to 14, including the Tasmanian Commissioner for Children and Young People, who described the Attorney-General's recent decision as a "huge, missed opportunity"; and
 - (b) the earlier a child becomes involved in the criminal justice system, the more likely they are to become entrenched in that system.
- (7) Calls on the Attorney-General to reverse her decision, and to commit to raising the age of criminal responsibility to 14 (23 November 2021)

62 Ms Dow to move—That the House:—

- (1) Acknowledges that:—
 - (a) the current Burnie Court site is not fit for purpose;
 - (b) at the 2018 State Election the Liberal and Labor parties committed \$15 million to redevelop the Burnie Court on the current site;
 - (c) in 2020 the Liberal Government announced it was relocating the court to the old University of Tasmania campus in a residential and educational precinct in West Burnie; and
 - (d) the Labor party at the 2021 State Election committed to redeveloping the current site or to rebuild the Burnie Court on another site in the Burnie CBD.
- (2) Notes:—
 - (a) there has been no consultation with local residents about the relocation of the Court to their neighbourhood;
 - (b) the ongoing concerns raised by the business community;
 - (c) the ongoing concerns raised by the Law Society;
 - (d) the ongoing concerns of local residents;
 - (e) the ongoing concerns of the Burnie City Council; and
 - (f) the project has now blown out to \$40 million.
- (3) Calls on the Attorney-General, Hon. Elise Archer MP to listen to residents and stakeholders, adopt Labor's position and keep the Burnie Court in the Burnie CBD. (23 November 2021)

63 Ms Haddad to move—That the House:—

- (1) Notes that:—
 - (a) Tasmania has the worst electoral donation laws in the country;
 - (b) the lack of electoral reform adds to the community's cynicism about government and politics;
 - (c) it is imperative that trust in Tasmanian politics is restored and believes that electoral donation law reform is a vital part of restoring trust;
 - (d) after the 2018 election, the Tasmanian Liberal Party committed to introducing electoral donation law reform but has so far failed to deliver;
 - (e) after pressure the Liberals finally developed a discussion paper for public consultation but then failed to release the final report for months;
 - (f) it was only after the Labor Party tabled a private members bill that the Government finally released the final report;
 - (g) after the 2021 election, the Liberals finally released draft legislation, which contains some good elements albeit it requires significant changes to be best practice;
 - (h) in 2021, only 20 bills have received Royal Assent, compared an average of 50 bills in previous years; and
 - (i) in light of this poor parliamentary performance, there is no excuse for the Government not having progressed these important laws.
- (2) Calls on the Liberals to act on their promise and bring on their legislation for debate so Tasmania can finally have faith in our electoral systems. (23 November 2021)

64 Ms Haddad to move—That the House:—

- (1) Notes:—
 - (a) Federal Attorney-General, Hon. Michaelia Cash MP, has indicated a Religious Discrimination Bill will be introduced to the Federal Parliament in 2021; and
 - (b) two previous iterations of such a Bill have included provisions that effectively override section 17(1) of the Tasmanian Anti-Discrimination Act 1998.
- (2) Recognises that:—
 - (a) the Tasmanian Anti-Discrimination Act 1998 protects people from discrimination on a range of grounds including protecting people from being discriminated against based on their religious belief;
 - (b) the Tasmanian Anti-Discrimination Act 1998 represents best practice and provides a model for the nation;

NOTICES OF MOTION AND ORDERS

- (c) the wording of the Act is echoed in a range of government and non-government anti-bullying policies; and
 - (d) the majority (around one third) of complaints made under section 17 of the Act are made by people with disability, followed by race based complaints made by people from culturally and linguistically diverse backgrounds, and that 5-10% are made by members of the LGBTIQ+ community.
- (3) Notes the Premier, Hon. Peter Gutwein MP has made comments recently to indicate that he would not support a Federal override of the Anti-Discrimination Act.
- (4) Recognises the importance of Tasmania standing up to strongly defend Tasmania's state based laws.
- (5) Calls on the Premier and Attorney General, Hon. Elise Archer MP, to write to their Federal counterparts to demand the removal of any provision from the Federal Bill that would override Tasmania's Anti-Discrimination Act. (23 November 2021)

67 Ms O'Byrne to move—That the House:—

- (1) Notes:—
 - (a) increasing community concern as a result of incidences in crime in the Launceston area;
 - (b) that according to the Tasmania Police Corporate performance reports since 2012 - 2013 the Northern district and in particular the Launceston District (compared to the other 12 police geographic divisions) has the highest victimization rates and also the numerically highest incidence of crime across many crime categories and associated decrease in clearance rates;
 - (c) with concern that the Government is using the reduction in incidences during COVID to suggest that the issue is being resolved despite the incidences in Launceston still being consistently higher in almost all categories.
- (2) Commends the hard-working police officers and staff in the North who are continually under pressure and doing as much as possible to respond with clearly insufficient resources.
- (3) Calls upon the Minister for Police, Fire and Emergency Management, Hon. Jacqui Petrusma MP to allocate additional resourcing urgently to the North and to commission work across Government to identify and address the underlying causal factors leading to the unacceptably high rates of victimisation and incidence of crime in Tasmania. (24 November 2021)

68 Ms O'Byrne to move—That the House:—

- (1) Notes that:—
 - (a) the Remade sustainable wearable art show was hosted on the 13 November 2021 at Launceston's Albert Hall.;
 - (b) this festival offers a platform that challenges artists, designers and the community to create themed wearable art before enthusiastic audiences; and
 - (c) the event was a roaring success with great crowds, great art and designers, and great models.
- (2) Congratulates Interweave for their enduring commitment to Remade over 11 years and their program which supports and empowers youth, people experiencing disability, the elderly and people of alternative cultures through art.
- (3) Commends Interweave Board members Louise French, Kim Schneiders, Joanna Pinkiewicz, Ro Blaney, Carmencita Palermo, Tim Breward, Justine Kelly, Caitlin Street, and Mat Carey. All the volunteers, artists and models and the team of volunteers from the Rotary Club of Tamar Sunrise on another very successful event. (24 November 2021)

69 Ms O'Byrne to move—That the House:—

- (1) Notes:—
 - (a) the Ride for Eddie which seeks to support Eddie who is almost 4 years old and has Pontocerebellar Hypoplasia Type 4. This is a rare condition and only five children have been diagnosed in Australia;
 - (b) the Ride consisted of the Swarm riding 1,500 km around Tasmania stopping at regional communities and hosting fundraising events with Hobart band The

NOTICES OF MOTION AND ORDERS

- Croon and sought to raise \$85,000 to purchase a modified van and wheelchair hoist to allow Eddie to be transported; and
- (c) the target has been achieved and the additional funds will go to providing the additional supports that Eddie requires.
 - (2) Congratulates the Ride For Eddie Swarm; Andrew Colrain, Heidi Robnik, John Xintavelonis, John Davidson, Robert Bertoz and Colin Dean for their commitment and thanks all who have supported them and contributed to the fundraiser.
 - (3) Encourages Tasmanians to support this fundraiser through events such as the Bawdy Panto to ensure Eddie keeps getting out and about and enjoying Tasmania. (24 November 2021)

70 The Minister for Primary Industries and Water to move—That the House:—

- (1) Notes:—
 - (a) that the Tourism Industry Council of Tasmania recently held the 2021 Tourism Awards Gala in Hobart;
 - (b) the Awards, as stated by the TICT are ‘designed to encourage and recognise innovation, excellence, quality and sustainability in tourism, while providing a benchmark for industry best practice’.
- (2) Acknowledges the strength and vibrancy of this sector that supports many thousands of Tasmanians.
- (3) Recognises the outstanding field of nominees this year and notes 8 of the winners were from businesses in my wonderful electorate of Lyons.
- (4) Congratulates all winners of the 25 categories, with special mention of the Lyons winners as follows:—
 - (a) Major Tour and Transport Operators
GOLD: Pennicott Wilderness Journeys
And entrant into the ‘Tasmanian Tourism Hall of Fame’
 - (b) Tourism Restaurant & Catering Services
BRONZE: Bark Mill Tavern and Bakery
 - (c) 5 Star Accommodation
GOLD: Saffire Freycinet
 - (d) Self-Contained Accommodation
SILVER: Sandpiper Ocean Cottages
BRONZE: The Granary Richmond Hill
 - (e) Caravan and Holiday Parks
GOLD: NRMA Port Arthur Holiday Park
 - (f) Unique Accommodation
SILVER: Picnic Island
 - (g) Aboriginal & Torres Strait Islander Tourism
GOLD: wukalina Walk
 - (h) Ecotourism
GOLD: Tasmanian Walking Company
 - (i) The Gustav Weindorfer Award for Best New Tourism Business
BRONZE: The Keep
- (5) Congratulates the TICT and Chief Executive Officer, Luke Martin for providing a fantastic platform for recognition of our many wonderful tourism related businesses. (23 November 2021)

Orders of the Day

1 Acts Enumeration Amendment Bill (No. 1): Second reading. (The Premier)

2 Safe Climate Bill 2021 (No. 16): Second reading. (Dr Woodruff)

3 Land Use Planning and Approvals Amendment (Wellington Park Management Trust Veto) Bill 2021 (No. 18): Second reading. (Ms O'Connor)

NOTICES OF MOTION AND ORDERS

- 4** Cable Car (kunanyi/Mount Wellington) Facilitation Repeal Bill 2021 (No. 17): Second reading. (Ms *O'Connor*)
- 5** House of Assembly Restoration Bill 2021 (No. 20): Second reading. (Ms *O'Connor*)
- 6** Criminal Code Amendment (Misconduct in Public Office) Bill 2021 (No. 19): Second reading. (Ms *O'Connor*)
- 7** Public Interest Disclosures (Members of Parliament) Bill 2021 (No. 22): Second reading. (Dr *Woodruff*)
- 8** Wildlife (Protection of Native Duck Species) Bill 2021 (No. 23): Second reading. (Dr *Woodruff*)
- 9** Cat Management Amendment (Mandatory Confinement) Bill 2021 (No. 24): Second reading. (Dr *Woodruff*)
- 10** Environmental Management and Pollution Control Amendment (EPA Independence) Bill 2021 (No. 25): Second reading. (Dr *Woodruff*)
- 11** Right to Information Amendment Bill 2021 (No. 29): Second reading. (Ms *Haddad*)
- 12** Residential Tenancy (Rental Market Reform) Amendment Bill 2021 (No. 30): Second reading. (Ms *O'Connor*)
- 13** Right to Information Amendment (Public Protected Areas) Bill 2021 (No. 31): Second reading. (Ms *O'Connor*)
- 14** Nature Conservation Amendment (Brushy Creek Conservation Area) Bill 2021 (No. 41 of 2021): Second Reading (Dr *Woodruff*)
- 15** Alcohol and Drug Dependency Repeal Bill 2021: Consideration of Amendments of the Legislative Council.
- 16** Justice and Related Legislation (Miscellaneous Amendments) Bill 2021 (No.60): Adjourned Debate on the Question proposed on Wednesday, 24 November 2021 by the Minister for Justice – That the Bill be now read the Second time. (Next Speaker: Dr *Woodruff*)
- 17** Tasmanian Civil and Administrative Tribunal Amendment (Exhibition of Amended Applications) Bill 2021 (No. 62): Second reading. (Ms *O'Connor*)
- 18** Climate Change (State Action) Amendment Bill 2021 (No.63): Second reading. (Minister for Climate Change)

SHANE DONNELLY, *Clerk of the House*

PAPERS ISSUED

HOUSE OF ASSEMBLY

Notices of Motion and Orders of the Day No. 26.
Notices of Motion No. 24.
Notices of Question No. 8.
Votes and Proceedings No. 1-15

BILLS.

Read First Time

NOTICES OF MOTION AND ORDERS

Bill No.	1.	Acts Enumeration Amendment (<i>pro forma</i>).
Bill No.	63.	Climate Change (State Action) Amendment.

Read First Time and ready for Second Reading

Bill No.	16.	Safe Climate.
Bill No.	17.	Cable Car (kunanyi/Mount Wellington) Facilitation Repeal.
Bill No.	18.	Land Use Planning and Approvals Amendment (Wellington Park Management Trust Veto).
Bill No.	19.	Criminal Code Amendment (Misconduct in Public Office).
Bill No.	20.	House of Assembly Restoration.
Bill No.	22.	Public Interest Disclosures (Members of Parliament).
Bill No.	23.	Wildlife (Protection of Native Duck Species).
Bill No.	24.	Cat Management Amendment (Mandatory Confinement).
Bill No.	25.	Environmental Management and Pollution Control Amendment (EPA Independence).
Bill No.	29.	Right to Information Amendment.
Bill No.	30.	Residential Tenancy (Rental Market Reform) Amendment.
Bill No.	31.	Right to Information Amendment (Public Protected Areas).
Bill No.	41.	Nature Conservation Amendment (Brushy Creek Conservation Area).
Bill No.	62.	Tasmanian Civil and Administrative Tribunal Amendment (Exhibition of Amended Applications).

Second Reading Debate Adjourned

Bill No.	60.	Justice and Related Legislation (Miscellaneous Amendments).
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Second Reading Negatived

Bill No.	21.	Integrity Commission (Members of Parliament).
Bill No.	38.	Electoral Amendment (Voting Age).
Bill No.	44.	Forest Management Amendment (Minimum Sawlog Quota Repeal).
Bill No.	61.	Electoral Amendment (Integrity of Elections).

Read Third Time and transmitted to L.C.

Bill No.	45.	Gaming Control Amendment (Future Gaming Market).
Bill No.	48.	Stadiums Tasmania.
Bill No.	50.	Criminal Code Amendment (Judge Alone Trials).
Bill No.	53.	Education Legislation Amendments (Education Regulation).
Bill No.	54.	Container Refund Scheme.
Bill No.	55.	Waste and Resource Recovery.
Bill No.	56.	TasTAFE (Skills and Training Business).
Bill No.	58.	Living Marine Resources Management Amendment (Aquaculture Research).

Consideration of L.C. Amendments

Bill No.	40.	Alcohol and Drug Dependency Repeal.
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Agreed to by Both Houses

Bill No.	10.	Supply (No. 1). (<i>Act No. 5 of 2021</i>)
Bill No.	11.	Supply (No. 2). (<i>Act No. 6 of 2021</i>)
Bill No.	12.	Treasury Miscellaneous (Cost of Living and Affordable Housing Support). (<i>Act No. 8 of 2021</i>)
Bill No.	13.	Land Use Planning and Approvals Amendment (Tasmanian Planning Scheme Modification). (<i>Act No. 7 of 2021</i>)
Bill No.	14.	Guardianship and Administration Amendment (Advance Care Directives). (<i>Act No. 15 of 2021</i>)
Bill No.	15.	Justice Miscellaneous (Increasing Judicial Retirement Age). (<i>Act No. 11 of 2021</i>)
Bill No.	26.	Living Marine Miscellaneous Amendments (Digital Processes).
Bill No.	27.	Food Amendment. (<i>Act No. 12 of 2021</i>)
Bill No.	28.	Children, Young Persons and Their Families Amendment. (<i>Act No. 22 of 2021</i>)
Bill No.	32.	Supply Bill (No. 3). (<i>Act No. 9 of 2021</i>)
Bill No.	33.	Supply Bill (No. 4). (<i>Act No. 10 of 2021</i>)
Bill No.	34.	Defamation Amendment. (<i>Act No. 16 of 2021</i>)
Bill No.	35.	Poisons Amendment. (<i>Act No. 21 of 2021</i>)
Bill No.	36.	Appropriation (No. 1). (<i>Act No. 13 of 2021</i>)
Bill No.	37.	Appropriation (No. 2). (<i>Act No. 14 of 2021</i>)
Bill No.	39.	Validation. (<i>Act No. 19 of 2021</i>)
Bill No.	42.	Mutual Recognition (Tasmania) Amendment. (<i>Act No. 20 of 2021</i>)

NOTICES OF MOTION AND ORDERS

Bill No.	43.	Land (Miscellaneous Amendments).
Bill No.	46.	Tasmanian Civil and Administrative Tribunal Amendment. (<i>Act No. 17 of 2021</i>)
Bill No.	47.	Tasmanian Civil and Administrative Tribunal (Consequential Amendments). (<i>Act No. 18 of 2021</i>)
Bill No.	49.	OPCAT Implementation.
Bill No.	51.	Housing Land Supply Amendment.
Bill No.	52.	Justices (Validation).
Bill No.	57.	Traffic Amendment (Personal Mobility Devices).
Bill No.	59.	Repeal of Regulations Postponement.

PAPERS TABLED AND ORDERED TO BE PRINTED

2021

4. Auditor-General: Report No. 12 of 2020-21 – COVID-19 Support Measures- Payroll Tax Waiver, June 2021.
6. Auditor-General: Report No. 10 of 2020-21 – COVID-19 Allocation, Distribution and Replenishment of Personal Protective Equipment, June 2021.
11. Auditor-General: Report No. 1 of 2021-22 – COVID-19 Support Measures – Community Support, August 2021.
13. Public Accounts, Parliamentary Standing Committee of: Inquiry into the Government's Economic Response to the COVID-19 Pandemic – Final Report.
15. Public Accounts, Parliamentary Standing Committee of: Review of the Tasmanian Government Fiscal Sustainability Report 2021.
26. Public Accounts, Parliamentary Standing Committee of: Annual Report 2021-21.
31. Public Accounts, Parliamentary Standing Committee of: Review of the Auditor-General Report No. 4 of 2016-17 – Event Funding.
32. Public Accounts, Parliamentary Standing Committee of: Review of the Auditor-General's Report No. 8 of 2018-19 – Student Attendance and Engagement: Years 7-10.
9. Public Works, Parliamentary Standing Committee on: Report on Tasman Highway Intelligent Transport Systems.
17. Public Works, Parliamentary Standing Committee on: Report on Midland Highway 10 Year Action Plan – Final Stage.
18. Public Works, Parliamentary Standing Committee on: Report on Northern Roads Package.
19. Public Works, Parliamentary Standing Committee on: Report on Lyell Highway – Queenstown to Strahan Safety Upgrade Project.
20. Public Works, Parliamentary Standing Committee on: Report on Bass Highway Upgrade – Wynyard to Marrawah.
21. Public Works, Parliamentary Standing Committee on: Report on Royal Hobart Hospital Intensive Care Unit Expansion Project and Paediatric Outpatients Relocation Project.
22. Public Works, Parliamentary Standing Committee on: Report on New Bridgewater Bridge.
30. Public Works, Parliamentary Standing Committee on: Report on Mersey Community Hospital – Theatres and Outpatient Clinics Redevelopment Project.
8. Subordinate Legislation, Parliamentary Standing Committee on: Scrutiny of Notice Issued Under Sections 11, 18 and 19 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Local Government) and Scrutiny of Notice Issued under Sections 11 and 17 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Local Government) – Report 14.
10. Subordinate Legislation, Parliamentary Standing Committee on: Scrutiny of Notice Issued Under Section 14 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Land Use Planning and Approvals Act 1993) – Report 15.
16. Subordinate Legislation, Parliamentary Standing Committee on: Scrutiny of Notice Issued Under Section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Supreme Court of Tasmania) – Report 16.
24. Subordinate Legislation, Parliamentary Standing Committee on: Scrutiny of Notice Issued Under Section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Guardianship and Administration Board) and Scrutiny of Notice Issued Under Section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Resource Management and Planning Appeal Tribunal) – Report 17.

STANDING COMMITTEES AND MEMBERS

Public Accounts: Dr *Broad*; Ms *Ogilvie*; and Mr *Street*.

Public Works: Ms *Butler*; Mr *Ellis*; and Mr *Tucker*.

Subordinate Legislation: Mr *Ellis*; Ms *Finlay*; and Ms *Ogilvie*.

Privileges: The Speaker; the Chair of Committees; the Deputy Premier; the Leader of the House; Ms *O'Connor*; Ms *Haddad*; and Mr *Winter*.

Standing Orders: The Speaker; the Chair of Committees; the Leader of the House; Ms *White*; and Mr *Winter*.

JOINT COMMITTEES AND MEMBERS

Library: The Speaker; the Chair of Committees; Dr *Broad*; Ms *Dow*; Mr *Ellis*; and Mr *Tucker*.

House: The Speaker; the Chair of Committees; and Mr *Winter*.

Integrity: The Speaker; the Leader of the House; and Ms *O'Byrne*.