



HOUSE OF ASSEMBLY

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

TASMANIA

NOTICES OF MOTION AND ORDERS OF THE DAY

No. 16

WEDNESDAY, 13 OCTOBER 2021

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

Notices of Motion tabled prior to 16 September are published at:
<https://www.parliament.tas.gov.au/ha/pdf/hamot.pdf>

Notices of Motion

36 Ms Butler to move—That:—

- (1) A Select Committee be appointed, with power to send for persons and papers and records, to inquire into and report upon Consumer and Building Sector Protections of the Tasmanian Building and Construction Industry, including:—
 - (a) how to provide better protection for Tasmanians building their homes, including Home Builder Mandatory Warranty Insurance;
 - (b) processes and practices for the identification and rectification of defects;
 - (c) the adequacy of current legislative and regulatory mechanisms to ensure building rectification in instances where standards have not been met;
 - (d) personal experiences that could inform consideration of any of the above; and
 - (e) other matters incidental thereto.
- (2) The Committee shall consist of 5 Members, being: 2 from the Government nominated by the Leader of the House; the honourable Member for Lyons, Ms Butler MP, the honourable Member for Braddon, Dr Broad MP; and the honourable Member for Clark, Ms Johnston MP.
- (3) The Committee report by 16 September 2022. (16 September)

37 Mr Street to move—That the House:—

- (1) Notes that, despite the challenges of the COVID-19 pandemic Tasmania's economy and business confidence continues to strengthen.
- (2) Acknowledges that the recent Deloitte Access Economics Business Outlook for the September 2021 quarter said "Overall, a lot continues to go right for Tasmania, thanks to strong COVID control and effective government support when it matters most."
- (3) Further notes that:—
 - (a) as the economy is strengthening, confidence is returning to the Tasmanian community with retail trade figures higher than 2020; and
 - (b) Tasmanian exports are booming, having exceeded \$4 billion for the first time in August 2021.
- (4) Recognises that the significant investment in the recent State Budget will continue to support our economic and community recovery as we emerge from the COVID-19 pandemic to secure Tasmania's future. (12 October 2021)

38 The Minister for Primary Industry and Water to move—That the House:—

- (1) Notes that the Deloraine Bowls Club officially opened their 2021 Pennant Season on 3 October 2021 and thanks the Club for their patience in tutoring me on the green.
- (2) Recognises that the Club, that has been in operation since 1926, provides a wonderful community facility for local events.

NOTICES OF MOTION AND ORDERS

- (3) Further notes President Keith Davis' continuing commitment to the Club together with his hardworking team.
- (4) Encourages locals in the Deloraine area and beyond, to visit and support this wonderful Club. (12 October 2021)

39 The Minister for Resources to move—That the House:—

- (1) Notes:—
 - (a) the Tasmanian Government was proud to support our exporting community at the Tasmanian Export Awards 2021, held on 24 September 2021, in Devonport;
 - (b) the Tasmanian Export Awards are held annually to celebrate the success of Tasmania's top exporters, with State winners going on to be finalists in the Australian Export Awards Program; and
 - (c) the Tasmanian Liberal Government is proud of our exporting community, including during COVID-19 and trading challenges, with the State's exports reaching over \$4 billion for the first time, for the year to August 2021.
- (2) Congratulates all category entrants, the organiser the Department of State Growth, and the Awards Partner TasPorts, with 11 award categories which represent Tasmania's leaders in overseas exports based on their levels of success and ingenuity.
- (3) Further notes that many of the 2021 winners are from regional Tasmania and with a majority of the awards being accepted by leading businesswomen.
- (4) Congratulates all of the 2021 winners:—
 - (a) Advanced Technologies – Lightning Protection International;
 - (b) Agribusiness Food and Beverages – Tasmanian Oyster Co.;
 - (c) E-Commerce – Scoot Boot;
 - (d) Emerging Exporter – Lawrenny Estate Distilling;
 - (e) International Health – Selborne Biological Services;
 - (f) Manufacturing and Advanced Materials – Ignite Digi;
 - (g) Regional Exporter – Blue Hills Honey;
 - (h) Small Business – Hill Farm Preserves;
 - (i) Minister's Award for Young Exporter of the Year 2021 – Ms Jelina Bennett (Aqua Clean Tas); and
 - (j) Minister's Award for Export Leadership 2021 – Ms Beth Mathison (True South Seafood). (12 October 2021)

40 Dr Woodruff to move—That the House:—

- (1) Acknowledges the paper "Fire risk and severity decline with stand development in Tasmanian giant Eucalyptus forest", by authors James Furlaud, Lynda Prior, Grant Williamson and David Bowman published in Forest Ecology and Management, issue 502, 2021.
- (2) Understands the Paper assesses how fuels, microclimate, and resulting fire risk and potential fire severity changed among four stand-development stages from regrowth to old forests.
- (3) Accepts the paper's findings that:—
 - (a) later development forests had a significantly moister understorey, an increased abundance of rainforest trees, and more vertically discontinuous fuels, resulting in a significantly reduced fire risk;
 - (b) high-severity fire was much more likely to occur in forests in the early-stages of growth; and
 - (c) intensive disturbance creates large areas of regrowth stands with increased risk of high-severity fire, which increases the likelihood of landscape-wide, demographic collapse.
- (4) Agrees with the paper's recommendation that these findings challenge assumptions about the fire regime of Tasmania's native wet eucalypt forests and indicates the need to update the approach to their management.
- (5) Calls on the Government to prioritise community safety and update the approach to the management of our native forests accordingly. (12 October 2021)

NOTICES OF MOTION AND ORDERS

- 41** Ms *O'Byrne* to move—That the House:—
- (1) Notes the passing of theatre legend Graeme Paine OAM, who passed away on October 10, 2021 after his long battle with progressive supranuclear palsy.
 - (2) Further notes:—
 - (a) Graeme was awarded the Order of Australia medal for his contribution to performing arts;
 - (b) the Tasmanian Theatre Council have paid tribute to Graeme Paine as a ‘much loved and hugely influential member of Tasmania’s theatre community’ who will be ‘particularly remembered for his extraordinary contribution over many decades to the Old Nick Company’;
 - (c) the Old Nick Company have said his ‘legacy is nothing short of extraordinary’; and
 - (d) Graeme was a talented and committed thespian and a genuinely lovely human who will be sadly missed by all who knew him, worked with him, were mentored by him and loved him.
 - (3) Passes on its sympathy to Mr Paine’s wife Christina, his children Christopher, Ben, Nick, Imogen and Mathew and their families as they mourn a much loved husband, father and grandfather. (12 October 2021)
- 42** Ms *Dow* to move—That the House:—
- (1) Recognises 9 – 16 October 2021, is National Mental Health Week.
 - (2) Acknowledges that:—
 - (a) half of all lifelong mental health problems begin before the age of 14;
 - (b) half of Australian kids with mental illness aren't getting timely professional help;
 - (c) one in ten young people aged 12-17 years old will self-harm, one in 13 will seriously consider a suicide attempt and one in 40 will attempt suicide;
 - (d) suicide continues to be a leading cause of death for young Australians; and
 - (e) three out of 5 school age children in Tasmania identify mental health as a growing problem.
 - (3) Agrees that early intervention is crucial in helping prevent mental illness later on in life.
 - (4) Notes that the report of the Commissioner for Children and Young People’s Wellbeing Consultations, ‘We call it happy’, concluded that as part of a more responsive education system participants wanted “Improved and more available school-based support services (mental health, social work, counsellors)”
 - (5) Further notes that:—
 - (a) the average wait to see a school psychologist in Tasmania is four months for assessment and three weeks for intervention, with many students waiting significantly long;
 - (b) there are just 69 school psychologists employed across the entire state, meaning there is one school psychologists for every 890 students enrolled; and
 - (c) the staff to student ratio for social workers is one for every 1,025 students.
 - (6) Further agrees that Tasmanian children and young people deserve better.
 - (7) Calls on the Liberal Government to recruit mental health workers to all Tasmanian state primary and high schools by July 2023. (12 October 2021)
- 43** Ms *O'Connor* to move—That the House has no confidence in the Minister for Resources for the following reasons:—
- (1) On 10 August 2021, the Minister approved a mining lease application made by Chinese State-owned company, MMG Australia, over 5 kilometres of Helilog Road and an area of rainforest near Rosebery.
 - (2) MMG Australia’s application specified its purpose as mining for gravel.
 - (3) The company’s intention for the area subject to the Minister’s approval was not to mine gravel.
 - (4) MMG was undertaking testing works for its plan to pump mine tailings across the Pieman River into a cleared rainforest gully off Helilog Road.

NOTICES OF MOTION AND ORDERS

- (5) The application approved by the Minister had the effect of preventing public access to public land in Takayna, including beekeeping sites and the Forest Walk tourist site.
- (6) Between early May and late July, prior to the Minister's mining lease approval for MMG, 71 peaceful protestors were arrested under dubious charges. They were people of all ages and from across the Tasmanian community, who stood up to defend the Tarkine's rainforest.
- (7) On 27 August, the Minister received a formal request from Bob Brown Foundation to provide a statement of reasons for granting this mining permit.
- (8) On 24 September, the Minister replied in writing that he was not empowered to make this decision, and that therefore, there had been no valid grant of the mining lease.
- (9) In his apparent haste to prevent peaceful protest on the site, the Minister signed an approval in breach of the *Mineral Resources Development Act (1995)*, an Act he administers.
- (10) The Minister broke the law, a fact that would not have come to light but for the Bob Brown Foundation.
- (11) After his lawlessness that worked to advantage a foreign-owned multinational corporation was exposed, the Minister refused to admit he had broken the law, and sought to mislead Tasmanians by blaming a "lodgement error" on the part of the applicant, and an "oversight" on the part of Mineral Resources Tasmania.
- (12) This explanation defies credibility.
- (13) The Minister's public statement did not address his involvement in this matter, and ignore one of the fundamental principles of the Westminster system of government – that a Minister doesn't blame others, but holds responsibility for their decisions.
- (14) Minister Barnett's conduct in this matter again brings his competence and integrity into question.
- (15) Since being elevated to Cabinet, Minister Barnett has shown no respect for transparency, has degraded accountability mechanisms through his constant misleading and obfuscation, and worked against the public, and the planet's, interests.
- (16) Across portfolios, Minister Barnett has long track record of secrecy, misleading Tasmanians, and enacting highly questionable decisions, and it's well past time for Parliament to finally hold him accountable.
- (17) He is unfit to be a Minister of the Crown. (12 October 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. 17): Second reading. (Ms O'Connor)

4 Cable Car (kunanyi/Mount Wellington) Facilitation Repeal Bill 2021 (No. 18): 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)

NOTICES OF MOTION AND ORDERS

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 Joint Select Committee on 2021 Elections: Consideration of the following Message from the Legislative Council: -

MR 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 a Joint Select Committee be appointed with power to send for persons and papers, with leave to sit during any adjournment of either House and with leave to adjourn from place to place to inquire into and report upon –

- (1) All aspects of the conduct of the 2021 state election and 2021 Legislative Council elections and matters related 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, 29 June 2021.

R.J. FORREST, *Deputy President.*

13 Residential Tenancy (Rental Market Reform) Amendment Bill 2021 (No. 30): Second reading. (Ms O'Connor)

14 Right to Information Amendment (Public Protected Areas) Bill 2021 (No. 31): Second reading. (Ms O'Connor)

15 Electoral Amendment (Voting Age) Bill 2021 (No. 38): Second reading. (Ms O'Connor)

16 Validation Bill 2021 (No. 39 of 2021): Second Reading. (Minister for Justice)

17 Nature Conservation Amendment (Brushy Creek Conservation Area) Bill 2021 (No. 41 of 2021): Second Reading (Dr Woodruff)

18 Forest Management Amendment (Minimum Sawlog Quota Repeal) Bill 2021 (No. 44 of 2021): Second Reading (Ms O'Connor)

19 Guardianship and Administration Amendment (Advance Care Directives) Bill 2021 (No. 14): Consideration of Amendments of the Legislative Council.

20 Gaming Control Amendment (Future Gaming Market) Bill 2021 (No. 45): Second reading. (Minister for Finance)

21 Tasmanian Civil and Administrative Tribunal Amendment Bill 2021 (No. 46): Second reading. (Minister for Justice)

22 Tasmanian Civil and Administrative Tribunal (Consequential Amendments) Bill 2021 (No. 47): Second reading. (Minister for Justice)

SHANE DONNELLY, *Clerk of the House*

NOTICES OF MOTION AND ORDERS

PAPERS ISSUED

HOUSE OF ASSEMBLY

Notices of Motion and Orders of the Day No. 16.
Notices of Motion No. 14.
Notices of Question No. 6.
Votes and Proceedings No.

BILLS.

Read First Time

Bill No.	1.	Acts Enumeration Amendment (<i>pro forma</i>).
Bill No.	45.	Gaming Control Amendment (Future Gaming Market).
Bill No.	46.	Tasmanian Civil and Administrative Tribunal Amendment.
Bill No.	47.	Tasmanian Civil and Administrative Tribunal (Consequential Amendments).

Read First Time and ready for Second Reading

Bill No.	16.	Safe Climate.
Bill No.	17.	Land Use Planning and Approvals Amendment (Wellington Park Management Trust Veto).
Bill No.	18.	Cable Car (kunanyi/Mount Wellington) Facilitation Repeal.
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.	38.	Electoral Amendment (Voting Age).
Bill No.	39.	Validation.
Bill No.	41.	Nature Conservation Amendment (Brushy Creek Conservation Area).
Bill No.	44.	Forest Management Amendment (Minimum Sawlog Quota Repeal).

Second Reading Negatived

Bill No.	21.	Integrity Commission (Members of Parliament).
----------	-----	---

Read Third Time and transmitted to L.C.

Bill No.	26.	Living Marine Miscellaneous Amendments (Digital Processes).
Bill No.	28.	Children, Young Persons and Their Families Amendment.
Bill No.	34.	Defamation Amendment.
Bill No.	35.	Poisons Amendment.
Bill No.	40.	Alcohol and Drug Dependency Repeal.
Bill No.	42.	Mutual Recognition (Tasmania) Amendment.
Bill No.	43.	Land (Miscellaneous Amendments).

Consideration of L.C. Amendments

Bill No.	14.	Guardianship and Administration Amendment (Advance Care Directives).
----------	-----	--

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.	15.	Justice Miscellaneous (Increasing Judicial Retirement Age). (<i>Act No. 11 of 2021</i>)
Bill No.	27.	Food Amendment. (<i>Act No. 12 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.	36.	Appropriation (No. 1). (<i>Act No. 13 of 2021</i>)
Bill No.	37.	Appropriation (No. 2). (<i>Act No. 14 of 2021</i>)

NOTICES OF MOTION AND ORDERS

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.
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.
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.

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*.