



TASMANIA

HOUSE OF ASSEMBLY

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

NOTICES OF MOTION AND ORDERS OF THE DAY

No. 25

WEDNESDAY, 24 NOVEMBER 2021

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

Notices of Motion tabled prior to 11 November are published at:
<https://www.parliament.tas.gov.au/ha/pdf/hamot.pdf>

Notices of Motion

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

- (1) Notes that:—
 - (a) the 2021 East Coast Tasmania Tourism Awards were held in Triabunna at the Spring Bay Mill on 30 October 2021, with radio host Ryk Goddard as MC and (virtual) guest speaker Phillipa Harrison the Managing Director of Tourism Australia; and
 - (b) the Awards acknowledge business excellence and innovation, and reward exceptional customer service in the industry.
- (2) Recognises the exceptional quality and diversity of businesses on the East Coast is testament to the strength and vibrancy of this sector that supports many thousands of Tasmanians.
- (3) Congratulates all Gold, Silver and Bronze winners of each of the ten categories, with special mention to Gold winners as follows:—
 - (a) Category 1: Accommodation-Caravan or Holiday Park
GOLD – Swansea Holiday Park;
 - (b) Category 2: Accommodation – Self Contained
GOLD – Sandpiper Ocean Cottages;
 - (c) Category 3: Accommodation – Standard
GOLD – Bayside Hotel St. Helens;
 - (d) Category 4: Accommodation – Deluxe
GOLD – Picnic Island;
 - (e) Category 5: Visitor Experience
GOLD – Oyster Bay Tours;
 - (f) Category 6: Food, Wine, Retail
GOLD – Me & Mums;
 - (g) Category 9: Event of the Year
GOLD – Rockpool – Bicheno Lions Club; and
 - (h) Category 10: 2021 East Coast Tasmania Tourism Awards – Individual Contribution Award
WINNER – Lester Donges.
- (4) Congratulates Chief Executive Officer Rhonda Taylor, Chair Jen Fry and the entire Board on another wonderful event showcasing the many, many excellent businesses the East Coast has on offer. (11 November 2021)

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

- (1) Acknowledges that the annual Blessing of the Fleet service occurred in St Helens on 31 October 2021.

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- (2) Recognises that the St Helens service is the longest continuous Blessing of the Fleet service in Australia.
- (3) Notes that:—
 - (a) as an island, the Tasmanian population was entirely reliant upon the sea for all physical contact with the outside world, until the development of links by air; and
 - (b) our waterways continue to be vital trade routes with 99% of Tasmanian freight transiting through our multi-port system.
- (4) Thanks:—
 - (a) to our Marine Rescue services who support our commercial and recreational fishers in times of need; and
 - (b) John Denman and the Combined Churches of Break O’Day for their continuing commitment and support to those who serve us on our seas.
- (7) Notes that, with our stunning coastline and pristine waters, fishing is a way of life and enjoyed by many. (11 November 2021)

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;

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- (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;
 - (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

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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)

65 Mr Winter to move—That the House:—

- (1) Notes that:—
 - (a) in 2016, the Tasmanian Liberal Government oversaw an unprecedented energy crisis that cost Hydro Tasmania \$180 million, caused disruption and uncertainty for energy consumers and led to disruption for major industrial customers; and
 - (b) the Tamar Valley Power Station (TVPS) Combined Cycle Gas Turbine (CCGT) unit operated from 20 January 2016 at its full capacity of 208 MW until late May 2016 and was a major contributing factor in getting Tasmania through the 2016 energy crisis.
- (2) Acknowledges the findings of the Government's Energy Security Taskforce and the Public Accounts Committee, which recommended the retention of the TVPS CCGT.
- (3) Notes that:—
 - (a) Hydro Tasmania has advised Tasmanian Gas Pipeline (TGP) that it does not require gas transportation capacity for the CCGT from 1 January 2022, which effectively mothballs the unit;
 - (b) TGP has informed Hydro Tasmania that it will be forced to shut down and remove physical gas transportation access to the CCGT delivery point if there is no Gas Transportation Agreement (GTA) in place; and
 - (c) should the CCGT be needed after the removal of physical gas transportation access, it could take up to two years to be available.
- (4) Calls on the Minister for Energy, Hon. Guy Barnett MP, to intervene to ensure the ongoing availability of the TVPS CCGT. (23 November 2021)

66 Ms Ogilvie to move—That the House notes that:—

- (1) COVID-19 has been one of the greatest health, social and economic challenges that Tasmanians have faced.
- (2) The Government's number one priority is keeping Tasmanians safe and secure.
- (3) On 22 October 2021, the Government announced its 'Reconnecting Tasmania' plan to safely reopen our borders on 15 December 2021, based on advice from public health, the State Health Commander, the State Controller and relevant agencies.
- (4) Tasmania's vaccination program is a vital pillar of our 'Reconnecting Tasmania' plan.
- (5) Getting a COVID-19 vaccine helps protect individuals, families, communities and our hospitals.
- (6) As at 22 November 2021, 92.6% of Tasmanians aged 16 years and older have had at least one dose, and 84.8% are fully vaccinated.
- (7) Between now and 15 December 2021, maintaining our vaccination rates to achieve our overall vaccination target remains the priority and we are making strong progress, but there is still more work to be done, especially in younger age groups.
- (8) By 15 December 2021, the Government is confident that everyone above the age of 12 in Tasmania will have had the opportunity to be vaccinated.
- (9) Tasmania has the opportunity to achieve one of the highest vaccination rates, not just across the country, but across the world.
- (10) This will make Tasmania one of the safest places in the world to live, visit and do business when our borders reopen.
- (11) The Government seeks the support of the Parliament for the continued rollout of its vaccination program, as part of the 'Reconnecting Tasmania' plan to safely reopen our borders on 15 December 2021. (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*)
- 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** Criminal Code Amendment (Judge Alone Trials) Bill 2021 (No. 50): Adjourned Debate on the Question proposed on Tuesday, 23 November 2021 by the Minister for Justice – That the Bill be now read the Second time. (Next Speaker: Minister for Justice)
- 16** Alcohol and Drug Dependency Repeal Bill 2021: Consideration of Amendments of the Legislative Council.
- 17** Justice and Related Legislation (Miscellaneous Amendments) Bill 2021 (No.60): Second reading. (Minister for Justice)
- 18** Tasmanian Civil and Administrative Tribunal Amendment (Exhibition of Amended Applications) Bill 2021 (No. 62): Second reading. (Ms *O'Connor*)
- 19** Electoral Amendment (Integrity of Elections) Bill 2021 (No. 61): Second reading. (Ms *O'Connor*)

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SHANE DONNELLY, *Clerk of the House*

PAPERS ISSUED

HOUSE OF ASSEMBLY

Notices of Motion and Orders of the Day No. 25.
Notices of Motion No. 23.
Notices of Question No. 8.
Votes and Proceedings No. 1-15

BILLS.

Read First Time

Bill No.	1.	Acts Enumeration Amendment (<i>pro forma</i>).
Bill No.	61.	Electoral Amendment (Integrity of Elections).
Bill No.	62.	Tasmanian Civil and Administrative Tribunal Amendment (Exhibition of Amended Applications).

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.	60.	Justice and Related Legislation (Miscellaneous Amendments).

Second Reading Debate Adjourned

Bill No.	50.	Criminal Code Amendment (Judge Alone Trials).
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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).

Read Third Time and transmitted to L.C.

Bill No.	45.	Gaming Control Amendment (Future Gaming Market).
Bill No.	48.	Stadiums Tasmania.
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

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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>)
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*.

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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*.