



LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 22

TUESDAY, 6 AUGUST 2019

- 1 COUNCIL MEETS.**— The Council met at 11.00 o'clock in the forenoon.
- 2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.**— It being the first day of the Spring session the President said: —

“We acknowledge the traditional people of the land upon which we meet today, the Mouheneener People.”
- 3 PRAYERS.**— The President read Prayers.
- 4 PAPERS.**— The Clerk of the Council laid upon the Table the following Papers:—
 - (1) Water and Sewerage Industry Act 2008: Statutory Rules 2019, No. 36, containing Water and Sewerage Industry (General) Regulations 2019.
 - (2) Living Marine Resources Management Act 1995: Statutory Rules 2019, No. 38, containing Fisheries (General and Fees) Amendment Regulations 2019.
 - (3) Forest Management Act 2013: Statutory Rules 2019, No. 49, containing Forest Management Regulations 2019.
 - (4) Rail Safety National Law National Regulations Variation Regulations 2019.
 - (5) Rail Safety National Law Regulations (Fees) Variation Regulations 2019.
- 5 STATEMENT BY THE PRESIDENT – NEW STAFF MEMBER.**— The President said —

“Honourable Members, before proceeding to the business of the day it is with pleasure that I formally and very warmly welcome to the staff of the Legislative Council, Ms Justin Meeker.

Justin has been appointed Electorate Officer to the Honourable Member for Nelson. Justin holds a Master of Business Administration and a Graduate Certificate in Government. She has extensive experience in the public sector including eight years of public administration in the Office of the Secretary of the Department of Health and Human Services and project and policy positions with the Tasmanian Departments of Economic Development and Premier and Cabinet. She has also undertaken short term projects and roles for the Tasmanian Electoral Commission.

Justin will be observing proceedings in the Legislative Council today and on behalf of all Members I extend to her a very warm welcome.”
- 6 MOTION WITHOUT NOTICE.**— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.

7 LEGISLATIVE COUNCIL SELECT COMMITTEE ON AFL IN TASMANIA.— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Honourable Member for Mersey, Mr *Gaffney*, be discharged from the Legislative Council Select Committee on AFL in Tasmania.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

8 SPECIAL INTEREST MATTERS.— The President advised the Chamber of five Members who had indicated their desire to speak and of the order in which they were to speak as follows —

- (1) Mr *Willie* - Glenorchy Golden Years Club;
- (2) Ms *Howlett* - John Opie House;
- (3) Mr *Finch* - Olympic Chef-de-Mission - Ian Chesterman;
- (4) Ms *Ratray* - Bridestowe Lavender Farm; and
- (5) Ms *Armitage* - Westpac Rescue Helicopter.

At the conclusion of Special Interest Matters the Council proceeded to Orders of the Day.

9 LANDSLIP AT DEVIOT.— A Motion was made (Mr *Finch*) and the Question was proposed, That the Legislative Council –

- (1) Notes the impact on several residences fronting the Tamar River at Deviot as a result of landslip during the winter of 2016 which was one of the wettest winters in memory;
- (2) (a) Acknowledges the extensive and costly damage to property that has occurred, including the demolition of one family home; and
(b) Acknowledges the extreme stress and anxiety that affected families have endured.
- (3) (a) Notes that an expert geo-technical consultant's report found that an active landslip problem was known publicly for some time; and
(b) Is concerned that neither official state geological survey maps nor the Council's planning scheme had rated the risk as prohibitive.
- (4) Questions why planning and building approvals continued to be provided, including for the Deviot landslip properties.
- (5) Appreciates that the three-year wait for the five worst affected Deviot families has been extremely difficult for them in not knowing whether the considerable investment in their homes will ever be realised.
- (6) (a) Notes that the Consultant's report urges both the West Tamar Council and the Government 'to understand and respond to the financial, emotional and physical needs of the affected residents'; and
(b) notes that precedent for compensation does exist in the areas of Lawrence Vale during the 1950's, Beauty Point in the West Tamar and the Rosetta landslip in Glenorchy; and
- (7) Urges the West Tamar Council and the Government, as a priority, to address and satisfactorily resolve this matter, including appropriate compensation for those properties seriously affected.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

10 BILL NO. 45 of 2018.— The Order of the Day was read for the Second reading of the Public Health Amendment (Prevention of Sale of Smoking Products to Underage Persons) Bill 2018.

A Motion was made (Mr *Dean*), and the Question was proposed, That the Bill be now read the Second time.

Ordered, That the Debate be adjourned. (Mr *Dean*)

11 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (Mrs *Hiscutt*)

The Sitting was suspended at 12.26 o'clock p.m. and resumed at 2.30 o'clock p.m.

12 QUESTION TIME.— The President called for Questions without Notice. There were two Questions asked.

13 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council will at its rising adjourn until 11.00 o'clock am on Wednesday, 7 August 2019.

It was resolved in the Affirmative.

Resolved, That the Council do now adjourn. (Mrs *Hiscutt*)

The Council adjourned at 2.35 o'clock p.m.

D.T. PEARCE, *Clerk of the Council*.

Briefings

- *Public Health Amendment (Prevention of Sale of Smoking Products to Underage Persons) Bill 2018*