



TASMANIA

LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

NOTICES OF MOTION AND ORDERS OF THE DAY

No. 21

TUESDAY, 6 AUGUST 2019

(At 11.00 o'clock am)

NOTICES OF MOTION

- 1 Mr *Dean* to move — That the Energy in Tasmania Report 2016-17 be considered and noted.
- 2 Mr *Dean* to move — That the Report of the Integrity Commission No. 4 of 2017: An investigation into allegations of misconduct in the Fox Free Taskforce and Fox Eradication Program, be considered and noted.
- 3 Ms *Armitage* to move — That the Report of the Auditor-General No. 2 of 2018-19, Administration of two grant programs by the Department of State Growth, be considered and noted.
- 4 Ms *Forrest* to move — That, in order to minimise the harms associated with drug use at Tasmanian festivals and events, this House—
 - (1) Acknowledges that pill testing is a health related matter;
 - (2) Acknowledges that pill testing is an evidence based health service that reduces the risk of illicit drug harm at music festivals and events;
 - (3) Acknowledges that pill testing services do not endorse or provide advice on the safety of illicit drug use and there is no research or evidence to support the view that pill testing increases drug use;
 - (4) Acknowledges the successful results of the two trials in the ACT that demonstrated the effectiveness of pill testing services to change a person's illicit drug behaviour;
 - (5) Acknowledges that pill testing is supported by national bodies including the Royal Australasian College of Physicians, the Royal Australian College of General Practitioners, the Australasian College for Emergency Medicine, the Rural Doctors Association of Australia, the Australian Medical Association, the Australian Nursing and Midwifery Federation, the National Australian Pharmacy Students' Association, the Pharmaceutical Society of Australia, the Ambulance Union State Council, the Public Health Association of Australia, Family Drug Support Australia, and the Australian Drug Law Reform Foundation and at the local level, by Tasmanian community organisations including the Youth Network of Tasmania, the Tasmanian Aboriginal Centre and Community Legal Centres Tasmania;
 - (6) Notes that despite there being strong support for the introduction of pill testing services across the Tasmanian community, the Government continues to be resistant to reviewing the evidence and/or exploring how a trial would provide health benefits to Tasmanians, particularly our youth;

- (7) Recognises a need for the Department of Health to prepare information and education materials outlining the community and individual health benefits of drug analysis services, to educate and inform the broader Tasmanian community; and
- (8) Calls on the Government to commence the necessary steps to explore how a trial of pill testing could occur during the 2019-20 summer festival season.

5 Ms *Ratray* to move — That the Right to Information Annual Report 2017-2018 be considered and noted.

6 Mr *Finch* to move— 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.

7 Mr *Willie* to move— That the Legislative Council –

- (1) Acknowledges the high-stakes culture that has developed around the National Assessment Program Literacy and Numeracy schools testing system (NAPLAN);
- (2) Notes that the Victorian, NSW and Queensland governments have agreed to band together and conduct their own ‘breakaway’ comprehensive review;
- (3) Is concerned that this year’s NAPLAN testing encountered a range of difficulties – with students hampered by technological issues in Tasmania and across the country;
- (4) Acknowledges education expert David Gonski’s comments regarding limitations at the classroom level where NAPLAN reports on achievement rather than growth and the results are six months old by the time they are released;
- (5) Notes that NAPLAN data published on the MySchool website is being used as a school rating tool rather than a measurement of student progress;

- (6) Notes there has been a decade of unhealthy debate on standardised testing with little improvement as a result; and
- (7) Calls on the Tasmanian Government to join the ‘breakaway’ review that will report back to the Education Council.

ORDERS OF THE DAY

- 1** Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons) Bill 2018 (No. 45): Second reading. *(Private Member’s Bill)*
- 2** Report of Government Administration Committee “A” Final Report on Acute Health Services — Consideration and noting. *(Mr Valentine)*
- 3** Biosecurity Bill 2019 (No. 15): Adjourned Debate (Ms Rattray) on the Question proposed on 20 June 2019 – That the Bill be now read the Second time.
- 4** Right to Information Amendment (Applications for Review) Bill 2019 (No. 14): Second reading.
- 5** Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Amendment Bill 2018 (No. 64): Second reading.
- 6** Forest Practices Amendment Bill 2018 (No. 61): Second reading.
- 7** Workers Rehabilitation and Compensation Amendment Bill 2019 (No. 20): Second reading.
- 8** Sentencing Amendment (Assaults on Off-Duty Police) Bill 2018 (No. 6): Second reading.
- 9** Corrections Amendment (Prisoner Remission) Bill 2018 (No. 15): Second reading.
- 10** Local Government (Highways) Amendment Bill 2019 (No. 17): Second reading.
- 11** Criminal Code and Related Legislation Amendment (Child Abuse) Bill 2018 (No. 63): Second reading.
- 12** Consideration of the following Message from the House of Assembly —

“MR PRESIDENT,

The House of Assembly having agreed to the following Resolution, begs now to transmit the same to the Legislative Council, and to request its concurrence therein —

Resolved, —

The the the House of Assembly refers to the House Committee the matter of non-Government Members’ access to ‘Parliamentary Counsel’ and that the matters pertaining to the location within Parliament House and access arrangements to the Parliamentary Counsel be a matter to be determined by the Committee and reported to both Houses

House of Assembly, 31 July 2019

SUE HICKEY, Speaker”.

- 13** Government Procurement Review (International Free Trade Agreements) Bill 2019 (No. 23): Second reading.
- 14** Litter Amendment Bill 2018 (No. 60): Second reading.
- 15** Partition Bill 2019 (No. 2): Second reading.

D.T. PEARCE, Clerk of the Council.

PAPERS ISSUED

LEGISLATIVE COUNCIL

Notice Paper No. 20
Bill Nos. 27-31
Paper No. 11

SUMMARY OF BILLS

Read First Time

Bill No. 6 of 2018	Sentencing Amendment (Assaults on Off-Duty Police).
Bill No. 15 of 2018	Corrections Amendment (Prisoner Remission).
Bill No. 45 of 2018	Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons).
Bill No. 60 of 2018	Litter Amendment.
Bill No. 61 of 2018	Forest Practices Amendment.
Bill No. 63 of 2018	Criminal Code and Related Legislation Amendment (Child Abuse).
Bill No. 64 of 2018	Electricity Supply Industry Restructuring (Savings and Transitional Provisions).
Bill No. 2	Partition (<i>pro forma</i>).
Bill No. 14	Right to Information Amendment (Applications for Review).
Bill No. 17	Local Government (Highways) Amendment.
Bill No. 20	Workers Rehabilitation and Compensation Amendment.
Bill No. 23	Government Procurement Review (International Free Trade Agreements).

Second Reading Debate Adjourned

Bill No. 15	Biosecurity.
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Agreed to by Both Houses

Bill No. 40 of 2018	Gas Industry (<i>Act No.1 of 2019</i>).
Bill No. 41 of 2018	Gas Safety (<i>Act No.2 of 2019</i>).
Bill No. 42 of 2018	Gas (Consequential Amendments) (<i>Act No.3 of 2019</i>).
Bill No. 43 of 2018	Mental Health Amendment (<i>Act No.8 of 2019</i>).
Bill No. 47 of 2018	Justice and Related Legislation (Marriage Amendments) (<i>Act No.7 of 2019</i>).
Bill No. 51 of 2018	Security and Investigations Agents Amendment (<i>Act No.9 of 2019</i>).
Bill No. 52 of 2018	Supreme Court Civil Procedure Amendment (<i>Act No.14 of 2019</i>).
Bill No. 57 of 2018	Energy Co-ordination and Planning Amendment (<i>Act No.4 of 2019</i>).
Bill No. 58 of 2018	Community, Health, Human Services and Related Legislation (Miscellaneous Amendments) (<i>Act No.13 of 2019</i>).
Bill No. 65 of 2018	Registration to Work with Vulnerable People Amendment (<i>Act No.18 of 2019</i>).
Bill No. 66 of 2018	Short Stay Accommodation (<i>Act No.12 of 2019</i>).
Bill No. 3	Electoral Amendment (<i>Act No.5 of 2019</i>).
Bill No. 4	Motor Accidents (Liabilities and Compensation) Amendment (<i>Act No.6 of 2019</i>).
Bill No. 7	Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) (<i>Act No.11 of 2019</i>).
Bill No. 9	Consolidated Fund Appropriation (Supplementary Appropriation for 2018-19) (<i>Act No.10 of 2019</i>).
Bill No. 10	Disability Services Amendment (<i>Act No.17 of 2019</i>).
Bill No. 11	Greater Hobart.
Bill No. 12	Health Miscellaneous Amendments (<i>Act No.15 of 2019</i>).
Bill No. 21	Appropriation Bill (No. 1) (<i>Act No.19 of 2019</i>).
Bill No. 22	Appropriation Bill (No. 2) (<i>Act No.20 of 2019</i>).
Bill No. 24	First Home Owner Grant Amendment (<i>Act No.16 of 2019</i>).

STANDING COMMITTEES AND MEMBERS

Committee of Privileges: Mr *Dean*, Mr *Farrell* (The President), Mr *Finch*, Ms *Forrest* (Chair of Committees) and Mrs *Hiscutt*.

Standing Orders Committee: The President (Mr *Farrell*), The Chair of Committees (Ms *Forrest*), Mrs *Hiscutt*, Ms *Ratray* and Mr *Valentine*.

Parliamentary Standing Committee on Public Works (Joint): Ms *Ratray* and Mr *Valentine*.

Parliamentary Standing Committee on Subordinate Legislation (Joint): Ms *Forrest*, Ms *Ratray* and Ms *Webb*.

Parliamentary Standing Committee of Public Accounts (Joint): Mr *Dean*, Ms *Forrest* and Mr *Willie*.

Parliamentary Standing Committee on Integrity (Joint): Ms *Armitage*, Mr *Dean* and Mr *Valentine*.

SESSIONAL COMMITTEES AND MEMBERS

House Committee (Joint): The President (Mr *Farrell*), Ms *Forrest*, Mrs *Hiscutt*

Library Committee (Joint): Ms *Armitage*, Mr *Farrell*, Mr *Finch*, Ms *Forrest*, Ms *Ratray* and Mr *Valentine*.

Government Administration A: Mr *Finch*, Ms *Forrest*, Mr *Gaffney*, Ms *Lovell*, Mr *Valentine* and Ms *Webb*.

- Horizontal Fiscal Equalisation System

Government Administration B: Ms *Armitage*, Mr *Armstrong*, Mr *Dean*, Ms *Howlett*, Ms *Ratray*, Ms *Siejka* and Mr *Willie*.

- North-East Rail Corridor: Ms *Lovell*

SELECT COMMITTEES AND MEMBERS

Short Stay Accommodation in Tasmania: Ms *Armitage*, Mr *Armstrong*, Ms *Ratray*, Mr *Valentine* and Mr *Willie*.

AFL in Tasmania: Mr *Armstrong*, Mr *Dean*, Mr *Finch*, Ms *Howlett* and Ms *Siejka*.

Production of Documents: Mr *Dean*, Ms *Forrest*, Ms *Howlett*, Ms *Webb* and Mr *Willie*.