



TASMANIA

# HOUSE OF ASSEMBLY

SESSION OF 2022 - 2023

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

## NOTICES OF MOTION AND ORDERS OF THE DAY

No. 26

THURSDAY, 2 MARCH 2023

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

### Notices of Motion

- 79** Ms *O'Connor* to move—That the House:—
- (1) Recognises Tasmania is facing a rental and housing crisis that is having a profound impact on low income Tasmanians.
  - (2) Notes that some property developers operating in Tasmania use “restrictive covenants” that prohibit property being used for social housing, or welfare recipients from occupying the property.
  - (3) Condemns the discriminatory practice of such restrictive covenants.
  - (4) Further notes:—
    - (a) this practice is prohibited in the Australian Capital Territory, and would not be able to occur in Tasmania if we had a Human Rights Act; and
    - (b) that the Tasmanian Law Reform Institute is currently working towards a re-examination of the Case for a Tasmanian Human Rights Act, following their recommendation for adopting a Human Rights Act in 2007.
  - (5) Calls on the Rockliff Liberal Government to act to put a stop to restrictive covenants that discriminate against Tasmanians reliant on income support, support a Human Rights Act, and commit to progressing the development of such an Act following the publication of the updated TLRI report. (28 February 2023)
- 80** Mr *Winter* to move—That the House refers the Minister for Racing, Hon Madeleine Ogilvie MP, to the Privileges and Conduct Committee to consider and report whether the following actions constitute a breach of Privilege or the Code of Conduct for Members contained in the Standing Orders of the House:—
- (1) On 6 July 2022, issuing an untruthful statement regarding the departure of then TasRacing Chief Executive, Paul Eriksson.
  - (2) Covering up a culture review into TasRacing which showed an appalling culture within the organisation that impacted the wellbeing of its staff and racing participants.
  - (3) Having breached 9.6 and 9.7 of the ‘Code of Conduct for Ministers’.
  - (4) Failure to correct the record for almost nine months. (28 February 2023)
- 81** The Premier to move:—That the House  
of Assembly:—
- (1) Mourn the lives lost and damage caused by the recent earthquakes in Turkiye and Syria.
  - (2) Note that so far over 50,000 people have died and over an estimated 28 million people have been affected by the disaster across both countries.
  - (3) Tender its deep respect for the numerous rescue workers and volunteers who are working tirelessly across both countries in the face of rising casualties.
  - (4) Further note that Tasmania has a strong history of supporting national humanitarian efforts to global disasters, and will continue to work with the Australian Government in their response to the still-unfolding disaster in Turkiye and Syria. (1 March 2023)

## NOTICES OF MOTION AND ORDERS

- 82** The Premier to move:—That the House  
of Assembly:—
- (1) Join with Parliaments around Australia and continue to stand with the Ukrainian people against the illegal and unwarranted Russian aggression in Ukraine.
  - (2) Recognise the sovereignty of Ukraine and the basic right of life and liberty for its people.
  - (3) Condemn the violation of international conventions and the carrying out of acts of genocide and war crimes against the Ukrainian people that have led to many thousands of human deaths, countless casualties and the displacement of over 14 million Ukrainians.
  - (4) Acknowledge the many Ukrainians we share our island with and join their community in despair of the conflict and atrocity 15,000 kilometres away from their Tasmanian homes.
  - (5) Never take for granted the freedom and democracy we enjoy as Australians.
  - (6) Join the global demand that Russia withdraw from Ukraine's recognised sovereign territory and allow Ukrainians to recover and rebuild their place of peace and independence. (1 March 2023)
- 83** Ms *O'Connor* to move—That the House:—
- (1) Notes:—
    - (a) the Member for Lyons Hon. Mark Shelton MP and three members of his family are longstanding members of the Bracknell Public Hall and Recreation Ground Committee;
    - (b) this Committee's direct involvement in deciding the concept, scope, design, and budget for a project to build a new hall at Bracknell;
    - (c) Meander Valley Council applied for a merit-based grant for this project, but was notified this application was unsuccessful on 5 October 2020;
    - (d) in mid-2021, the Council recognised they were unable to complete the project as planned unless additional funding was secured;
    - (e) on 2 July 2021, Mr Shelton met with the Council's General Manager to discuss project funding requirements;
    - (f) on 15 July 2021, Council's General Manager wrote to Mr Shelton requesting State Government funding for the project;
    - (g) shortly afterwards, the Council was advised they would receive \$400,000 funding for the new Hall;
    - (h) a grant deed for \$400,000 was subsequently signed between Communities Tasmania and Council; and
    - (i) the Code of Conduct for Members of Parliament states Members must take all reasonable steps to avoid, disclose, or manage any conflict of interest that arises between their personal interests and official duties.
  - (2) Agrees the Member for Lyons, Mr Shelton allowed his personal interests to override the public interest to secure funding for Bracknell Hall.
  - (3) Agrees the Member for Lyons, Mr Shelton's conflict of interest through his personal involvement in arranging funding for Bracknell Hall constitutes a breach of the Code of Conduct.
  - (4) Refers this matter to the Privileges and Conduct Committee. (1 March 2023)
- 84** Mr *Winter* to move—That the House censures the Minister for Racing, the Hon. Madeleine Ogilvie MP for:—
- (1) Issuing a media statement on 6 July 2022 regarding the termination of the CEO of TasRacing, which she knew to be misleading.
  - (2) Refusing to correct the record at any point thereafter, in breach of the Standing Orders of this House and the Ministerial Code of Conduct. (1 March 2023)

## Orders of the Day

- 1** Acts Enumeration Amendment Bill (No. 37): Second reading. (The Premier)
- 2** Safe Climate Bill 2021 (No. 16 of 2021): Second reading. (Dr *Woodruff*)
- 3** Land Use Planning and Approvals Amendment (Wellington Park Management Trust Veto) Bill 2021 (No. 18 of 2021): Second reading. (Ms *O'Connor*)
- 4** Criminal Code Amendment (Misconduct in Public Office) Bill 2021 (No. 19 of 2021): Second reading. (Ms *O'Connor*)
- 5** House of Assembly Restoration Bill 2021 (No. 20 of 2021): Second reading. (Ms *O'Connor*)
- 6** Wildlife (Protection of Native Duck Species) Bill 2021 (No. 23 of 2021): Second reading. (Dr *Woodruff*)
- 7** Cat Management Amendment (Mandatory Confinement) Bill 2021 (No. 24 of 2021): Second reading. (Dr *Woodruff*)
- 8** Environmental Management and Pollution Control Amendment (EPA Independence) Bill 2021 (No. 25 of 2021): Second reading. (Dr *Woodruff*)
- 9** Right to Information Amendment Bill 2021 (No. 29 of 2021): Second reading. (Ms *Haddad*)
- 10** Residential Tenancy (Rental Market Reform) Amendment Bill 2021 (No. 30 of 2021): Adjourned Debate on the Question proposed on Wednesday, 24 August 2022 by Ms *O'Connor* – That the Bill be now read the Second time. (Next Speaker: Ms *Haddad*)
- 11** Right to Information Amendment (Public Protected Areas) Bill 2021 (No. 31 of 2021): Second reading. (Ms *O'Connor*)
- 12** Nature Conservation Amendment (Brushy Creek Conservation Area) Bill 2021 (No. 41 of 2021): Second Reading (Dr *Woodruff*)
- 13** Tasmanian Civil and Administrative Tribunal Amendment (Exhibition of Amended Applications) Bill 2021 (No. 62 of 2021): Second reading. (Ms *O'Connor*)
- 14** Sentencing Amendment (Mandatory Sentencing) Bill 2022 (No. 32): Second reading. (Minister for Justice)
- 15** Corrections Amendment Bill 2022 (No. 51): Second reading. (Minister for Corrections and Rehabilitation)
- 16** Residential Building (Miscellaneous Consumer Protection Amendments) Bill 2022 (No. 44): Second reading. (Minister for Workplace Safety and Consumer Affairs)
- 17** Land Titles Amendment Bill 2022 (No. 50): Second reading. (Minister for Parks)
- 18** Local Government Amendment (Code of Conduct) Bill 2022 (No. 52): Second reading. (Minister for Local Government)
- 19** Child and Youth Safe Organisations Bill 2022 (No. 54): Second reading. (Minister for Justice)

## NOTICES OF MOTION AND ORDERS

**20** Mental Health Amendment Bill 2022 (No. 56): Second reading. (Minister for Mental Health and Wellbeing)

**21** Covid Management: Adjourned Debate on the Question proposed on Wednesday, 23 November 2022 by Ms *O'Connor*—That the House:—

- (1) Expresses its sincere, heartfelt condolences to family members, friends and colleagues of the 201 Tasmanians who have died with Covid since the start of the pandemic.
- (2) Recognises these Tasmanians were loved and valued members of their families and communities, whose lives were tragically cut short.
- (3) Acknowledges with sadness:—
  - (a) 188 of these preventable deaths have been recorded since 15 December 2021, when Omicron arrived in Tasmania; and
  - (b) the thousands of Tasmanians who suffer from or at risk of disabling, long-term health consequences from Covid infection or reinfection.
- (4) Further recognises the removal of mandated protections, necessary to reduce mass Covid infections, has severely restricted the lives of many vulnerable Tasmanians, including the elderly and clinically vulnerable, and people with disability.
- (5) Accepts the scientific evidence that SARS-Cov 2 is an airborne pathogen with potentially fatal consequences and well understood, debilitating impacts on immune function.
- (6) Notes with real concern stagnating vaccination and booster rates, particularly amongst children and young people.
- (7) Agrees the trajectory of Australian Governments' Covid management, which facilitates constant reinfection, is untenable for individual and population health, as well as social and economic wellbeing.
- (8) Resolves to work cooperatively to educate, promote and model increased vaccination and booster uptake, indoor mask wearing and ventilation.
- (9) Calls on the Government to prevent further disabling illness and loss of life, and urgently adopt evidence-based policies, practices and communications that better protect Tasmanians from Covid. (Next Speaker: Dr *Woodruff*)

**22** Police Powers (Surveillance Devices) Amendment Bill 2022 (No. 57): Second reading. (Minister for Justice)

**23** Premier's Address: Adjourned Debate on the Question proposed on Tuesday, 28 February 2023 – That the Premier's Address be noted. (Next Speaker: Mr *Winter*)

LAURA ROSS, *Clerk of the House*

### PAPERS ISSUED

#### HOUSE OF ASSEMBLY

Notices of Motion and Orders of the Day No. 25.  
Notices of Motion No. 22.  
Notices of Question No. 9.  
Votes and Proceedings No. 1 to 24.

### BILLS.

*Read First Time*

Bill No. 37 of 2022. Acts Enumeration Amendment (*pro forma*).

*Read First Time and ready for Second Reading*

Bill No. 16 of 2021. Safe Climate.  
Bill No. 18 of 2021. Land Use Planning and Approvals Amendment (Wellington Park Management Trust Veto).  
Bill No. 19 of 2021. Criminal Code Amendment (Misconduct in Public Office).  
Bill No. 20 of 2021. House of Assembly Restoration.

## NOTICES OF MOTION AND ORDERS

Bill No.	23 of 2021.	Wildlife (Protection of Native Duck Species).
Bill No.	24 of 2021.	Cat Management Amendment (Mandatory Confinement).
Bill No.	25 of 2021.	Environmental Management and Pollution Control Amendment (EPA Independence).
Bill No.	29 of 2021.	Right to Information Amendment.
Bill No.	31 of 2021.	Right to Information Amendment (Public Protected Areas).
Bill No.	41 of 2021.	Nature Conservation Amendment (Brushy Creek Conservation Area).
Bill No.	62 of 2021.	Tasmanian Civil and Administrative Tribunal Amendment (Exhibition of Amended Applications).
Bill No.	32 of 2022.	Sentencing Amendment (Mandatory Sentencing).
Bill No.	44 of 2022.	Residential Building (Miscellaneous Consumer Protection Amendments).
Bill No.	50 of 2022.	Land Titles Amendment.
Bill No.	51 of 2022.	Corrections Amendment.
Bill No.	52 of 2022.	Local Government Amendment (Code of Conduct).
Bill No.	54 of 2022.	Child and Youth Safe Organisations.
Bill No.	56 of 2022.	Mental Health Amendment.
Bill No.	57 of 2022.	Police Powers (Surveillance Devices) Amendment.

### *Second Reading Debate Adjourned*

Bill No.	30 of 2021.	Residential Tenancy (Rental Market Reform) Amendment.
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### *Second Reading Negatived*

Bill No.	17 of 2021.	Cable Car (kunanyi/Mount Wellington) Facilitation Repeal.
Bill No.	31 of 2022.	Waste and Resource Recovery Amendment (Single-Use Plastics).
Bill No.	34 of 2022.	Electricity Supply Industry (Price Cap).
Bill No.	53 of 2022.	Electricity Supply Industry Amendment (Cap Power Prices).

### *Read Third Time and transmitted to L.C.*

Bill No.	22 of 2021.	Public Interest Disclosures (Members of Parliament).
Bill No.	25 of 2022.	Electoral Disclosure and Funding.
Bill No.	26 of 2022.	Electoral Matters (Miscellaneous Amendments).
Bill No.	33 of 2022.	Carer Recognition.
Bill No.	43 of 2022.	Justice and Related Legislation Miscellaneous Amendments.
Bill No.	55 of 2022.	Justice Miscellaneous (Royal Commission Amendments).

### *Agreed to by Both Houses*

Bill No.	63 of 2021.	Climate Change (State Action) Amendment. (Act No. 35 of 2022)
Bill No.	5 of 2022.	Traffic Amendment (Electronic Billboards). (Act No. 31 of 2022)
Bill No.	10 of 2022.	Family Violence Reforms. (Act No. 23 of 2022)
Bill No.	11 of 2022.	Electricity Safety. (Act No. 32 of 2022)
Bill No.	12 of 2022.	Roads and Jetties Amendment. (Act No. 30 of 2022)
Bill No.	15 of 2022.	Police Offences Amendment (Workplace Protection). (Act No. 22 of 2022)
Bill No.	19 of 2022.	Health Legislation (Miscellaneous Amendments). (Act No. 21 of 2022)
Bill No.	20 of 2022.	Vehicle and Traffic Amendment (Driver Distraction and Speed Enforcement). (Act No. 27 of 2022)
Bill No.	27 of 2022.	Occupational Licensing (Automatic Mutual Recognition Consequential Amendments). (Act No. 29 of 2022)
Bill No.	29 of 2022.	Land Use Planning and Approvals Amendment. (Act No. 33 of 2022)
Bill No.	30 of 2022.	Retail Leases. (Act No. 39 of 2022)
Bill No.	35 of 2022.	Homes Tasmania. (Act No. 25 of 2022)
Bill No.	36 of 2022.	Homes Tasmania (Consequential Amendments). (Act No. 26 of 2022)
Bill No.	39 of 2022.	Stadiums Tasmania Amendment (Transfers). (Act No. 38 of 2022)
Bill No.	40 of 2022.	Statutory Holidays Amendment. (Act No. 24 of 2022)
Bill No.	41 of 2022.	Justice Miscellaneous (Advance Care Directives). (Act No. 28 of 2022)
Bill No.	42 of 2022.	Animal Welfare Amendment. (Act No. 36 of 2022)
Bill No.	45 of 2022.	Legal Profession Amendment. (Act No. 34 of 2022)
Bill No.	46 of 2022.	Environmental Management and Pollution Control Amendment. (Act No. 42 of 2022)
Bill No.	47 of 2022.	Expansion of House of Assembly. (Act No. 40 of 2022)
Bill No.	48 of 2022.	Workers Rehabilitation and Compensation Amendment. (Act No. 41 of 2022)
Bill No.	49 of 2022.	Appropriation (Supplementary Appropriation for 2022-23). (Act No. 37 of 2022)

## PAPERS TABLED AND ORDERED TO BE PRINTED

### 2022

14. Auditor-General: Report No. 5 of 2021-22 – Report on the Financial Statements of State entities, Volume 2 Audit of State entities and audited subsidiaries of State entities: 31 December 2020 and 30 June 2021.

## NOTICES OF MOTION AND ORDERS

19. Auditor-General: Report No. 6 of 2021-22 – Accessing Services for the Safety and Wellbeing of Children and Young People – the Strong Families, Safe Kids Advice and Referral Line, 21 June 2022.
20. Auditor-General: Report No. 7 of 2021-22 – COVID-19 – Response to Social Impacts: Mental Health and Digital Inclusion, 29 June 2022.
23. Auditor-General: Report No. 1 of 2022-23 – Improving Outcomes for Tasmanian Senior Secondary Students.
32. Auditor-General: Report No. 2 of 2022-23 – Report on the Financial Statements of State entities, Volume 1 Audit of State entities and audited subsidiaries of State entities: 31 December 2021 and 30 June 2022.
15. (L.C.) Government Administration Committee ‘A’, Legislative Council: Report on Finfish Farming in Tasmania.
16. (L.C.) Government Administration Committee ‘A’, Legislative Council: Report on Rural Health Services in Tasmania.
30. (L.C.) Government Administration Committee ‘A’, Legislative Council: Short Inquiry Process Report on the Roy Fagan Centre.
13. (L.C.) Government Administration Committee ‘B’, Legislative Council: Report on Disability Services in Tasmania.
33. Integrity, Parliamentary Standing Committee on: Annual Report 2022.
9. Public Accounts, Parliamentary Standing Committee of: Review of the Auditor-General’s Report No. 11 of 2018-19: Performance of Tasmania’s Four Major Hospitals in the Delivery of Emergency Department Services.
17. Public Accounts, Parliamentary Standing Committee of: Review of Selected Public Works Committee Reports – 27 of 2015: Midland Highway, Mangalore to Bagdad Stage 1 and Midland Highway, Kempton to Melton Mowbray Stage 1; and 28 of 2015: Midland Highway, Perth to Breadalbane Duplication.
27. Public Accounts, Parliamentary Standing Committee of: Review of Selected Public Works Committee Reports – 41 of 2020: Sorell Emergency Services Hub; and 15 of 2020: Major Redevelopment of Sorell School.
28. Public Accounts, Parliamentary Standing Committee of: Annual Report 2021-22.
  1. Public Works, Parliamentary Standing Committee on: Report on Illawarra Main Road Upgrade.
  2. Public Works, Parliamentary Standing Committee on: Report on New Brighton High School.
  3. Public Works, Parliamentary Standing Committee on: Report on New Legana Primary School.
  4. Public Works, Parliamentary Standing Committee on: Report on Royal Hobart Hospital Stage 2 – J Black Redevelopment.
  7. Public Works, Parliamentary Standing Committee on: Report on Burnie Ambulance Station.
  8. Public Works, Parliamentary Standing Committee on: Report on Burnie Court Complex.
  10. Public Works, Parliamentary Standing Committee on: Report on Tasman Highway – Sideling Upgrade.
  11. Public Works, Parliamentary Standing Committee on: Report on Royal Hobart Hospital Emergency Department Expansion Stage 1.
  21. Public Works, Parliamentary Standing Committee on: Report on Mental Health Service St John’s Park Facility.
  25. Public Works, Parliamentary Standing Committee on: Report on Tasman Bridge Upgrades.
  26. Public Works, Parliamentary Standing Committee on: Report on Glenorchy Ambulance Station.
  29. Public Works, Parliamentary Standing Committee on: Report on Major Redevelopment of Cosgrove High School.
  34. Public Works, Parliamentary Standing Committee on: Report on Southern Outlet Transit Lane.
  35. Public Works, Parliamentary Standing Committee on: Report on Huon Link Road.
31. (L.C.) Road Safety in Tasmania, Legislative Council Select Committee: Final Report.
  5. Subordinate Legislation, Parliamentary Standing Committee on: Scrutiny of Notices Issued Under Sections 13, 15 and 19 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Land Use Planning and Approvals Act 1993) – Report 18.
  6. Subordinate Legislation, Parliamentary Standing Committee on: Scrutiny of Notice Issued Under Section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Magistrates Court – Electronic Service and Witnessing) and Scrutiny of Notice Issued Under Section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Magistrates Court – Proceedings)– Report 19.
  12. Subordinate Legislation, Parliamentary Standing Committee on: Inquiry into the Crown Land Regulations 2021 (S.R. 2021, No. 87).
  18. Subordinate Legislation, Parliamentary Standing Committee on: Scrutiny of Notice Issued under Section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Tasmanian Civil and Administrative Tribunal), Scrutiny of Notice Issued under Section 11 and 17 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Local Government), Scrutiny of Notice Issued under Section 11, 18 and 19 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Local Government), and Scrutiny of Notice Issued under Section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Supreme Court) – Report 20.
  22. Subordinate Legislation, Parliamentary Standing Committee on: Annual Report 2021-2022.
  24. Subordinate Legislation, Parliamentary Standing Committee on: Inquiry into the Nature Conservation (Wildlife) Regulations 2021 (S.R. 2021, No. 93).

### STANDING COMMITTEES AND MEMBERS

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

Public Accounts: Mrs *Alexander*; Dr *Broad*; and Mr *Young*.

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

Subordinate Legislation: Ms *Finlay*; Mr *Wood*; and Mr *Young*.

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; Mrs *Alexander*; Dr *Broad*; Ms *Dow*; and Mr *Young*.

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

Gender and Equality: Mrs *Alexander*; Ms *O’Byrne*; Dr *Woodruff*; and Mr *Young*.

Workplace Culture Oversight: The Speaker; the Premier; Ms *O’Connor*; and Ms *White*.