



TASMANIA

# LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

## NOTICES OF MOTION AND ORDERS OF THE DAY

No. 87

THURSDAY, 10 DECEMBER 2020

(At 11.00 o'clock am)

### ORDERS OF THE DAY

- 1 Appropriation Bill (No. 1) 2020 (No. 46): Third reading.
- 2 Appropriation Bill (No. 2) 2020 (No. 47): Third reading.
- 3 Payroll Tax Rebate (Apprentices, Trainees and Youth Employees) Amendment Bill 2020 (No. 48): Third reading.
- 4 Brickmakers Point Landslip Bill 2020 (No. 15): Third reading.
- 5 Justice Legislation (Mandatory Sentencing) Bill 2019 (No. 57): Second reading.
- 6 Workplaces (Protection from Protesters) Amendment Bill 2019 (No. 54): Second reading.
- 7 Sentencing Amendment (Assaults on Off-Duty Police) Bill 2018 (No. 6): Second reading.
- 8 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, —*

That 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*”.

- 9 Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons) Bill 2018 (No. 45): Adjourned Debate (Mr *Dean*) on the Question proposed on 6 August 2019 – That the Bill be now read the Second time. (*Private Member’s Bill*)
- 10 Partition Bill 2019 (No. 2): Second reading.

### NOTICES OF MOTION

- 1 Mrs *Hiscutt* to move — That the Council approve, in accordance with subsections 11(7) and 12(4) of the *Public Account Act 1986*, additional Recurrent Services and Works and Services expenditure in 2018-19 for the purposes detailed in the Section 19 Return for the June Quarter 2019.
- 2 Ms *Webb* to move — That Statutory Rules 2019, No. 63, Fisheries (Abalone) Amendment Rules 2019 dated 23 September 2019 made under the *Living Marine Resources Management Act 1995* and laid upon the

Table of the Council on 19 November 2019, be disallowed as provided by Section 47 of the *Acts Interpretation Act 1931*.

**3** Mr *Dean* to move — That the Parliamentary Standing Committee of Public Accounts report No. 14: “Office of the Ombudsman and Health Complaints Commissioner”, be considered and noted.

**4** Mr *Dean* to move — That the Annual Report of the Department of Police, Fire and Emergency Management 2019/2020 be considered and noted.

**5** Mr *Dean* to move — That the Annual Report of the Macquarie Point Development Corporation 2019/2020 be considered and noted.

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

#### PAPERS ISSUED

#### LEGISLATIVE COUNCIL

Notice Paper No. 86  
Paper No. 41

#### SUMMARY OF BILLS

##### *Read First Time*

Bill No. 6 of 2018	Sentencing Amendment (Assaults on Off-Duty Police).
Bill No. 2 of 2019	Partition ( <i>pro forma</i> ).
Bill No. 54 of 2019	Workplaces (Protection from Protesters) Amendment.
Bill No. 57 of 2019	Justice Legislation (Mandatory Sentencing).

##### *Second Reading Debate Adjourned*

Bill No. 45 of 2018	Public Health Amendment (Prevention of Sale of Smoking Products to Under-Age Persons).
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##### *Awaiting Third Reading*

Bill No. 15	Brickmakers Point Landslip.
Bill No. 46	Appropriation (No. 1).
Bill No. 47	Appropriation (No. 2).
Bill No. 48	Payroll Tax Rebate (Apprentices, Trainees and Youth Employees) Amendment.

##### *Returned to House of Assembly with Amendment*

Bill No. 49 of 2019	Police Offences Amendment (Repeal of Begging).
Bill No. 28	Dangerous Criminals and High Risk Offenders.

##### *Read Third Time and Transmitted to House of Assembly*

Bill No. 30	End-of-Life Choices (Voluntary Assisted Dying).
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##### *Agreed to by Both Houses*

Bill No. 15 of 2018	Corrections Amendment (Prisoner Remission) ( <i>Act No.32 of 2019</i> ).
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. 59 of 2018	Land Acquisition Amendment ( <i>Act No.31 of 2019</i> ).
Bill No. 60 of 2018	Litter Amendment ( <i>Act No.30 of 2019</i> ).
Bill No. 61 of 2018	Forest Practices Amendment ( <i>Act No.25 of 2019</i> ).
Bill No. 63 of 2018	Criminal Code and Related Legislation Amendment (Child Abuse) ( <i>Act No.29 of 2019</i> ).

Bill No. 64 of 2018	Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Amendment ( <i>Act No.24 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 of 2019	Electoral Amendment ( <i>Act No.5 of 2019</i> ).
Bill No. 4 of 2019	Motor Accidents (Liabilities and Compensation) Amendment ( <i>Act No.6 of 2019</i> ).
Bill No. 5 of 2019	Criminal Code Amendment (Bullying) ( <i>Act No.34 of 2019</i> ).
Bill No. 6 of 2019	Fruit and Nut Industry (Research, Development and Extension Trust Fund) Repeal ( <i>Act No.35 of 2019</i> ).
Bill No. 7 of 2019	Workers Rehabilitation and Compensation Amendment (Presumption as to Cause of Disease) ( <i>Act No.11 of 2019</i> ).
Bill No. 9 of 2019	Consolidated Fund Appropriation (Supplementary Appropriation for 2018-19) ( <i>Act No.10 of 2019</i> ).
Bill No. 10 of 2019	Disability Services Amendment ( <i>Act No.17 of 2019</i> ).
Bill No. 11 of 2019	Greater Hobart ( <i>Act No.21 of 2019</i> ).
Bill No. 12 of 2019	Health Miscellaneous Amendments ( <i>Act No.15 of 2019</i> ).
Bill No. 14 of 2019	Right to Information Amendment (Applications for Review) ( <i>Act No.26 of 2019</i> ).
Bill No. 15 of 2019	Biosecurity ( <i>Act No.22 of 2019</i> ).
Bill No. 16 of 2019	Disposal of Uncollected Goods ( <i>Act No. 2 of 2020</i> ).
Bill No. 17 of 2019	Local Government (Highways) Amendment ( <i>Act No.28 of 2019</i> ).
Bill No. 19 of 2019	Vehicle and Traffic Amendment ( <i>Act No.37 of 2019</i> ).
Bill No. 20 of 2019	Workers Rehabilitation and Compensation Amendment ( <i>Act No.23 of 2019</i> ).
Bill No. 21 of 2019	Appropriation Bill (No. 1) ( <i>Act No.19 of 2019</i> ).
Bill No. 22 of 2019	Appropriation Bill (No. 2) ( <i>Act No.20 of 2019</i> ).
Bill No. 23 of 2019	Government Procurement Review (International Free Trade Agreements) ( <i>Act No.27 of 2019</i> ).
Bill No. 24 of 2019	First Home Owner Grant Amendment ( <i>Act No.16 of 2019</i> ).
Bill No. 25 of 2019	Roads and Jetties Amendment (Validation) ( <i>Act No.39 of 2019</i> ).
Bill No. 26 of 2019	Roads and Jetties Amendment (Works in Highways) ( <i>Act No.38 of 2019</i> ).
Bill No. 27 of 2019	Magistrates Court (Criminal and General Division) ( <i>Act No.43 of 2019</i> ).
Bill No. 28 of 2019	Magistrates Court (Criminal and General Division) (Consequential Amendments) ( <i>Act No.44 of 2019</i> ).
Bill No. 29 of 2019	Restraint Orders ( <i>Act No.47 of 2019</i> ).
Bill No. 30 of 2019	Civil Liability Amendment ( <i>Act No.33 of 2019</i> ).
Bill No. 31 of 2019	Historic Cultural Heritage Amendment ( <i>Act No.36 of 2019</i> ).
Bill No. 32 of 2019	Public Works Committee Amendment ( <i>Act No.42 of 2019</i> ).
Bill No. 33 of 2019	Genetically Modified Organisms Control Amendment ( <i>Act No.40 of 2019</i> ).
Bill No. 34 of 2019	Legal Profession Amendment (Validation) ( <i>Act No.41 of 2019</i> ).
Bill No. 35 of 2019	Neighbourhood Disputes About Plants Amendment ( <i>Act No. 29 of 2020</i> ).
Bill No. 36 of 2019	Justice Legislation Amendment (Organisational Liability for Child Abuse) ( <i>Act No.48 of 2019</i> ).
Bill No. 37 of 2019	Marine-Related Incidents (MARPOL Implementation) ( <i>Act No. 22 of 2020</i> ).
Bill No. 38 of 2019	Place Names ( <i>Act No. 1 of 2020</i> ).
Bill No. 39 of 2019	Justice Legislation Miscellaneous Amendments ( <i>Act No. 19 of 2020</i> ).
Bill No. 41 of 2019	Public Sector Superannuation Reform Amendment ( <i>Act No.52 of 2019</i> ).
Bill No. 42 of 2019	Burial and Cremation ( <i>Act No.50 of 2019</i> ).
Bill No. 43 of 2019	Dog Control Amendment ( <i>Act No.53 of 2019</i> ).
Bill No. 44 of 2019	Police Legislation Miscellaneous Amendments ( <i>Act No. 20 of 2020</i> ).
Bill No. 45 of 2019	Poisons Amendment ( <i>Act No.51 of 2019</i> ).
Bill No. 46 of 2019	Inland Fisheries Amendment (Royalties) ( <i>Act No.46 of 2019</i> ).
Bill No. 47 of 2019	Long Service Leave (State Employees) Amendment ( <i>Act No.49 of 2019</i> ).
Bill No. 48 of 2019	Mines Work Health and Safety (Supplementary Requirements) Amendment ( <i>Act No. 39 of 2020</i> ).
Bill No. 50 of 2019	Teachers Registration Amendment. ( <i>Act No. 33 of 2020</i> ).
Bill No. 51 of 2019	Gaming Control Amendment (Wagering) ( <i>Act No.45 of 2019</i> ).
Bill No. 52 of 2019	State Service Amendment (Validation) ( <i>Act No. 35 of 2020</i> ).
Bill No. 53 of 2019	Property Agents and Land Transactions Amendment ( <i>Act No. 40 of 2020</i> ).
Bill No. 55 of 2019	Cat Management Amendment ( <i>Act No. 25 of 2020</i> ).
Bill No. 56 of 2019	Duties Amendment ( <i>Act No. 3 of 2020</i> ).
Bill No. 3	Justice Legislation Amendments (Criminal Responsibility) ( <i>Act No. 10 of 2020</i> ).
Bill No. 4	Evidence Amendment ( <i>Act No. 7 of 2020</i> ).
Bill No. 5	Criminal Code Amendment (Sexual Abuse Terminology) ( <i>Act No. 8 of 2020</i> ).
Bill No. 6	Architects Amendment ( <i>Act No. 32 of 2020</i> ).
Bill No. 7	Rail Safety National Law (Tasmania) Amendment ( <i>Act No. 37 of 2020</i> ).
Bill No. 8	Vehicle and Traffic Amendment (Road Vehicle Standards) ( <i>Act No. 34 of 2020</i> ).
Bill No. 10	Appropriation (Supplementary Appropriation for 2019-20) ( <i>Act No. 4 of 2020</i> ).
Bill No. 11	Supply Bill (No. 1) ( <i>Act No. 5 of 2020</i> ).
Bill No. 12	Supply Bill (No. 2) ( <i>Act No. 6 of 2020</i> ).
Bill No. 13	Taxation and Related Legislation (Miscellaneous Amendments) ( <i>Act No. 9 of 2020</i> ).
Bill No. 14	COVID-19 Disease Emergency (Miscellaneous Provisions) ( <i>Act No.11 of 2020</i> ).
Bill No. 16	Financial Management (Further Consequential Amendments) ( <i>Act No. 38 of 2020</i> ).
Bill No. 17	COVID-19 Disease Emergency (Miscellaneous Provisions) (No.2) ( <i>Act No. 12 of 2020</i> ).
Bill No. 19	COVID-19 Disease Emergency (Commercial Leases) ( <i>Act No. 13 of 2020</i> ).
Bill No. 20	Biosecurity (Consequential and Transitional Provisions) ( <i>Act No. 18 of 2020</i> ).
Bill No. 21	Building and Construction (Regulatory Reform Amendments) ( <i>Act No. 16 of 2020</i> ).
Bill No. 22	Land Tax Amendment ( <i>Act No. 14 of 2020</i> ).
Bill No. 23	HomeBuilder Grants ( <i>Act No. 15 of 2020</i> ).

Bill No. 25	Tasmanian Civil and Administrative Tribunal ( <i>Act No. 24 of 2020</i> ).
Bill No. 26	Land Use Planning Approvals (Major Projects). ( <i>Act No. 21 of 2020</i> ).
Bill No. 27	Corrections Amendment (Electronic Monitoring) ( <i>Act No. 23 of 2020</i> ).
Bill No. 29	Covid-19 Disease Emergency (Miscellaneous Provisions) Amendment (Quarantine Debt Recovery) ( <i>Act No. 17 of 2020</i> ).
Bill No. 31	Evidence (Children and Special Witnesses) Amendment ( <i>Act No. 26 of 2020</i> ).
Bill No. 32	Gas Industry Amendment ( <i>Act No. 43 of 2020</i> ).
Bill No. 33	Anzac Day Trust Winding-Up ( <i>Act No. 36 of 2020</i> ).
Bill No. 34	On-Demand Passenger Transport Services Industry (Miscellaneous Amendments) ( <i>Act No. 28 of 2020</i> ).
Bill No. 35	Justice Miscellaneous (Court Backlog and Related Matters) ( <i>Act No. 27 of 2020</i> ).
Bill No. 37	Residential Tenancy Amendment (COVID -19) ( <i>Act No. 30 of 2020</i> ).
Bill No. 39	Building and Construction (Regulatory Reform Amendments) (No.2) ( <i>Act No. 31 of 2020</i> ).
Bill No. 40	Electricity, Water and Sewerage Pricing (Miscellaneous Amendments) ( <i>Act No. 42 of 2020</i> ).
Bill No. 43	Energy Co-Ordination and Planning Amendment (Tasmanian Renewable Energy Target) ( <i>Act No. 41 of 2020</i> ).

#### STANDING COMMITTEES AND MEMBERS

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

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*, Ms *Forrest*, Ms *Ratray*, Dr *Seidel* and Mr *Valentine*.

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

- Horizontal Fiscal Equalisation System
- Finfish Farming in Tasmania

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

- Disability Services

#### SELECT COMMITTEES AND MEMBERS

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

Greater Hobart Traffic: Ms *Siejka*, Mr *Valentine* and Ms *Webb*.

TasWater: Mr *Dean*, Ms *Lovell*, Ms *Palmer* and Ms *Ratray*.

Government Businesses Scrutiny Committee A: Ms *Forrest*, Mr *Gaffney*, Ms *Lovell*, Dr *Seidel*, Mr *Valentine* and Ms *Webb*.

Government Businesses Scrutiny Committee B: Ms *Armitage*, Mr *Dean*, Ms *Palmer*, Ms *Ratray*, Ms *Siejka* and Mr *Willie*.