PARLIAMENT OF TASMANIA

DEBATES OF THE LEGISLATIVE COUNCIL

DAILY HANSARD

Thursday 26 November 2026

Preliminary Transcript

This draft transcript of debates is issued in advance of the final Hansard for the use of the members of the Legislative Council and copies made from this may not be protected by parliamentary privilege.

Thursday 26 November 2026

The President, **Mr Farrell**, took the Chair at 11 a.m., acknowledged the Traditional People and read Prayers.

QUESTIONS ON NOTICE - ANSWERS

No. 72 - Marinus Link Fibre-Optic Cable Capacity

[11.03 a.m.]

Mr DUIGAN (Windermere - Minister for Energy and Renewables) - For question No. 72 from the member for Mersey, I seek leave to table that answer and have it incorporated into *Hansard*.

Leave granted; document tabled and incorporated.

See Appendix 1 (page xxx).

TASMANIAN HOMES AND HOUSING BILL 2026 (No. 48)

Second Reading

[11.04 p.m.]

Mr VINCENT (Prosser - Minister for Housing and Planning) - I move -

That the bill be now read the second time.

It goes without saying, Mr President, that it gives me great pleasure to introduce the Tasmanian Homes and Housing Bill 2026 to the House. This bill is enabling legislation that transfers the housing functions currently vested in Homes Tasmania to Building Tasmania, implements the machinery of government change and, importantly, provides continuity in the housing system.

The bill is the first part of a two-stage reform process. As part of the consultation process, the housing sector has requested a binding commitment to the second stage of the reforms, which I am very happy to give now. The commitment we have given to the sector is the government will begin the second stage of the reforms by the end of 2026 and for the commitment to be enshrined in the *Hansard*.

The bill preserves several important elements of the current legislation but also simplifies and streamlines the provisions to support the sound and primary delivery of housing. This is of vital importance when more housing is so badly needed.

It will establish Building Tasmania as a housing agency, service provider, delivery agent and funding body. It will equip Building Tasmania with the powers it needs to acquire and develop assets, transact business, and facilitate the provision of housing, homelessness and crisis services.

The bill also recognises that improving housing outcomes is not the responsibility of government alone. It recognises the important contribution of the housing and homelessness sector, community and not-for-profit organisations, the private sector and all three levels of government, and supports them working together to improving housing outcomes.

The bill sets out housing functions that will transfer from Homes Tasmania to Building Tasmania. These functions reflect the agency's core roles as a provider, deliverer, facilitator and steward of the housing system, including to: own and manage and maintain social housing; assign and administer social housing tenancies; provide tenancy and community support services; establish and manage housing assistance programs; to facilitate and fund housing and homelessness services; also to help coordinate and, as authorised, regulate the sector; partner with public, private and community sector entities; facilitate the development of land and housing for social housing and housing generally; manage intergovernmental sector and industry relations; it will also own, develop, manage and maintain assigned commercial and non-housing assets; it will contribute to whole-of-government priorities; it will also undertake research, strategic and operational policy; it will meet with housing needs of specific client cohorts; plan the future development of land and assets; develop and deliver new capital, housing options; and coordinate asset management and planning.

The title of the Tasmanian Homes and Housing Bill 2026 reflects the importance of providing homes and housing for Tasmanians, from crisis and traditional accommodation through to long-term housing. The key features of the bill include provisions that provide the legislative basis for Building Tasmania becoming a housing agency with the responsibility for housing functions and assistance, crisis, traditional and homelessness services, social and affordable housing. It contains a new long title with consistent but updated purposes and objectives that reflect the housing functions being transferred that support continuity - establishing the housing functions, powers, delegations, land management and statutory provisions need to vest responsibility for these functions in central government.

It streamlines the provisions that govern land management, capital investment and housing delivery, recognising the royal prerogative and given the bill currency to support the sound and timely delivery of housing.

Introduces a new form of land tenure for land owned and managed by the Crown as housing crown land that will better equip the housing agency to deal with land.

Enables the continued employment of employees under the *State Service Act 2000* and transitional and savings provisions dealing with assets, rights, liabilities, insisting legal matters, instruments and statutory references.

It includes provision for the independent review of the bill in the fourth year after its commencement. Mr President, it implements the necessary machinery of government changes and consequential amendments needed to facilitate this transfer process and winds up Homes Tasmania as a board-led statutory authority and public non-financial corporation.

Collectively, these features will enable Building Tasmania to carry out its housing functions effectively and efficiently while supporting the sound and responsible use of public resources.

The government has deliberately adopted a two-stage approach to this reform. The first stage through this bill is focused on implementing the machinery of government changes and transferring the housing functions to Building Tasmania. This is an essential prerequisite that will enable the necessary industrial consultation with affected employees on all the new operational arrangements to commence and detailed transfer planning to be activated based on this legislation. Mr President, we want the process of this first stage promptly to provide as much certainty as possible for employees, the housing sector and those affected by the changes.

The second stage of reform will provide us the opportunity to initiate a broader review of the housing policy and legislative framework, supported by more detailed consultation with the housing sector, industry and other key stakeholders.

This bill does not seek to pre-empt those broader policy questions.

The second stage will commence by the end of 2026 with an open request for input process, providing the sector, industry and other stakeholders with an opportunity to contribute to the broader reforms. It is expected to be completed by mid-2027.

The subsequent reform process will identify potential legislative and non-legislative reforms and present several potential pathways for tangible action, present an additional reform and amendment of this housing legislation to further enhance the statutory divisions it contains and the potential to pursue additional legislative reforms that impact other relevant and related pieces of legislation.

Short-, medium- and long-term strategic actions are to be included in the next to be included in the next Tasmanian Housing Strategy and Action Plan.

Also, future policy developments, suggestions that can be considered by the Minister for Housing and Planning and Cabinet, will identify further ways in which together we can refine and enhance how the Tasmanian housing system works.

Mr President, a staged approach to reform will enable the transfer of functions to proceed while preserving the opportunity for a subsequent reform that will give stakeholders and the government the ability to consider how to enhance the housing system.

We are working to facilitate the transfer of functions on the 1 July 2027. Given the task scale, implementation planning will continue while parliament considers the bill.

This proactive preparatory work will not pre-empt parliament's deliberations.

Tasmania has a proud history of delivering homes and services for persons in need of housing assistance. This role has changed significantly over this period and the bill has been written to recognise this fact and maintain its currency. The role of government and the sector have shifted and we need to recognise this and equip ourselves for further changes. The emergence of community housing providers has seen us have the highest portion of social housing nationally vested in these vital organisations. The role of the specialist homeless services and other providers has grown. We need to be able to respond promptly to market and opportunities, including to engage in new and innovative partnerships with the private sector and that may arise through the Australian government programs or funding opportunities. The sector continues to fulfil an essential role in delivering crisis and transitional accommodation,

short, medium, and long-term housing, and homelessness services. Maintaining established, and facilitating new, services and programs. While the bill's primary focus is on government's function, it also recognises the key role that other entities in the housing system fulfil. The responsibility shared in the stage 2 reforms will provide a pathway to further explore this dynamic and how to best shape its future.

The transfer of the functions to the general government sector means a new financial framework will apply. The *Holmes Tasmania Act 2022* financial provisions aren't needed as they are covered by other public finance, legislative and administrative arrangements which include the standard financial provisions that apply to other state service departments including the annual business cycle of the state budget and budget Estimates hearings, financial audits and annual reporting. The housing functions will be funded by an annual operational appropriation to the housing output groups established in Building Tasmania, augmented by rent and income generated from other sources. The borrowing provisions in the act will cease on the commencement, with capital investment funded through the Capital Investment Program together with the Australian government funding, and other funding sources. Upon the commencement of this legislation, the housing debt and responsibility for debt servicing and repaying will transfer to the Crown and will be managed at a whole of government level. The functions will operate under the same framework that applies across the general government sector via the *Financial Management Act 2016*.

Mr President, it is important to note that while the independent and financial reviews of Home Tasmania do not have a direct impact on the bill, return of these functions to central government will help address several of their recommendations. Building Tasmania will remain an important player in the sector as a service provider, asset manager and funding body. While consideration was given to amending the current legislation, a new bill is preferred because of the extent of the amendments that would have been required to do otherwise. It would have been an unnecessary, complex task.

Upon transfer, Building Tasmania will be responsible for supporting approximately 5,000 households as a social housing landlord. It will also manage maintaining and servicing over 13,700 dwellings and implementing a multi-million-dollar pipeline of new housing options, including 10,000 new homes by 2032.

Mr President, many of the act's provisions that govern land management and delivery date back to the former *Homes Act 1935*. The bill's functions and powers preserve some of the act's provisions, but most have been replaced by whole-of-government provisions, like the Treasurer's Instructions and other more contemporary practices. Importantly, these reforms do not alter the government's commitment to existing tenants, applicants for housing assistance, housing providing or services. The transition provisions mean existing tenancies, applications, contracts, deeds and partnerships will not need to be remade.

In conclusion, the bill provides for responsibility for the development, delivery and management of housing and homelessness services to return to central government and the provision of housing will be recognised as a human right. Stable and secure housing is an essential need that supports wellbeing, builds stronger communities and generates good education, employment, health and economic outcomes. As we all know, housing in all of its forms is under significant pressure right across Australia. Demand far exceeds supply and meeting this need is a challenge. Costs are rising and it's getting harder to enter the housing market. These reforms, future collaboration and the commitment to implementing the

Tasmanian Housing Strategy reflect a whole-of-government and sector-wide response. They also build on the important work of the many individuals and organisations across the Tasmanian housing system. It's a pleasure, actually, to stand here and commend the bill to the House.

[11.22 a.m.]

Mr GAFFNEY (Mersey) - Mr President, I rise to speak very briefly in support of the Tasmanian Homes and Housing Bill 2026, and I thank the government for its candour in communicating about the last-minute running of the legislation, and the work of those people who have been instrumental in its creation and the ongoing plan for this area of housing. It is not an easy time in government and I appreciate what they're trying to do.

I also give thanks to those who have and will contribute in this place, as well as those who have in the other. I appreciate that the bill received a strong level of support in the other place and that each of the major parties, as well as many of the Independent members, were comfortable. I'm also appreciative of the submissions and briefings provided. Of course, there is plenty to be said in this space about Homes Tasmania and the difficulties the government has clearly had in delivering its plans so far. Suffice to say, I hope that the changes that the government put forward in this law will succeed. As has been discussed many times in this place, it must be a priority of the government to address the housing crisis. Tasmanians are struggling and need support. Parliament has a duty to enable the government to take the action it deems necessary insofar as it is appropriate.

With that segue, I'll briefly talk to the specifics of the bill itself. I commend the amendments that arose from the other place and that the government was comfortable with supporting most of them. Indeed, the amendments to the purposes and objectives of the bill, as well as administrative amendments, are well appreciated. These changes are appropriate to the current context and I hope we'll support it or at least enable the government to provide Tasmanians support with extra housing. I do not have any concern with the intent or mechanisms to empower Building Tasmania as the premier agency for social housing. If anything, for me, it's a return to normalcy. Notwithstanding the politics of the matter, it is an appropriately devised mechanism.

I note that, regarding the new form of land tenure, this is just another continuation of the increasing direction the government has in using Tasmanian land. Crown land is not here simply to be used at a whim, it has a purpose within its classification. I am a little bit concerned about the lack of clarity regarding the principles which this classification will be employed, which I know was raised this morning in briefings, whether or not decision-making processes will be made public or engage effective parties and how they will do so. Nevertheless, I again acknowledge that this addresses distinct issues within the current planning system. I would, however, appreciate it if the minister, in his response, could further explain the Crown land aspect of this bill to members. It signals to me a little bit of an alert light. Are we assuming that all Crown land is only suitable for housing and that will be a priority, or will the local community and the local council have input into the Crown land identification and its purposes? It could be used or planned for something else.

I would also be interested to hear from the government on the decision to make an independent review clause limited to four years after the commencement of the bill. It is worth noting that Homes Tasmania is now roughly four years old and, my gosh, how good would it be if we had taken a more drastic action on the housing issue earlier? Four years is a long time,

and I appreciate this as a stage 1, stage 2, especially considering the impetus that such reviews can give for further action. By choosing such a long period, I'm somewhat concerned we may be delaying the political capital that can be used to fuel further, more effective changes down the line. It's now 2026 - a four-year period - if this doesn't go ahead until 2031 and there are 10,000 homes to be built by 2032, that's a lot of homes in one year.

Nonetheless, I'm comfortable with the legislation and its current form, and will support its passage. I hope that the government can answer some of the questions I have posed in this brief contribution. I thank all those who have contributed to the creation of this bill, as well as those members who have worked so constructively on it.

In closing, I would also like to acknowledge and thank the staff in Homes Tasmania and the sector who, regardless of the government structure in place, continue to deliver at the coalface, often above and beyond to support people in need. I am supportive of the bill.

[11.26 a.m.]

Ms FORREST (Murchison) - Mr President, I wish to speak on the Tasmanian Homes and Housing Bill 2026 and say that here we are, back to the future. I want to begin with a bit of humble pie. In 2022, I supported the *Homes Tasmania Act*. I supported it in good faith. I know there are some in the House at the time who strongly opposed it. It turns out they were right. We're happy to wear that; that's the truth. I know the Labor Party was - I think you did oppose it, didn't you? The Labor Party at the time.

Ms Webb - Yes, hello.

Ms FORREST - There were several that did. I'm just eating humble pie, just allow me to do so.

Ms Lovell - Very refreshing, through you, Mr President.

Mr Gaffney - Doesn't happen often.

Mr PRESIDENT - Any more confessions are most welcome.

Ms FORREST - As I said, it turns out they were right at least in the overall intent that it would deliver thousands of new homes.

Ms Webb - For decades to come, apparently.

Ms FORREST - Yeah. I'm saying I made the wrong decision then. Let me say it.

Ms Webb - I'm mostly mocking the government; not you, member for Murchison.

Ms FORREST - Yeah. At that time, we were told that a board-led statutory authority operating outside the general government sector would be more agile, more commercially capable, it would be able to borrow - and borrow it did - partner and build at scale, and pace the housing crisis and demand. These were all the claims that were made. It was claimed it'll bring housing, land and homeless services together under one roof. Homes Tasmania commenced on 1 December 2022. I accepted those arguments and I accept my share of the responsibility for that vote.

Today, barely four years later, we're being asked to unwind that model. We were asked to wind up Homes Tasmania just as the statutory authority and a public non-financial corporation, return its functions to a department of state - now building Tasmania. We should be clear about what that means. I don't think there is a perfect solution to the housing challenges we face. Essentially, the Homes Tasmania experiment failed.

This is not a criticism of the people who work there. I acknowledge the member for Mersey's comments. They have been described as hard working, committed and highly knowledgeable and delivered some of the expected outcomes under very difficult conditions. My criticism is of the model and how it was actually governed. The evidence is not mine, because in April 2025 the independent review led by Margaret Crawford PSM, a former New South Wales auditor-general, found that decision making and accountability between the Homes Tasmania Board and the minister were unclear. It found duplicated and confused decision making that held back delivery. It made 20 recommendations.

Put simply, Homes Tasmania was set up to be independent, but government kept reaching in. The board was accountable for outcomes it did not fully control. The minister was answerable to the parliament for the decisions that he, at the time, did not fully make. That has not enabled a good governance model and certainly not a recipe for building houses.

The government's response to that review was telling. During 2025, policy, regulatory and system stewardship functions move out of Homes Tasmania and back to the then Department of State Growth. The unwinding had already begun before this bill was drafted. Then came the KPMG financial review, completed in March this year, with a further 15 recommendations, and they also made for sobering reading. KPMG found forecast expenditure of around $2.6 billion over 2020 to 2031-32. In the short term, the model relied predominantly on debt, because proceeds are weighted to later years. Rents do not cover operating costs, with an estimated structural operating deficit of around $11 million in 2025-26. KPMG concluded that the government will need to borrow at an increasing rate to achieve its housing outcomes. So, the question before us here, is not whether the model worked. Those reviews have answered that. The question is whether what replaces it will do better and at what cost.

This brings me to what I believe is perhaps the most consequential part of the bill. It is easy to consider a bill described as machinery of government as just that: operational, functional, procedural. And the minister's second reading speech is clear, however, on a key issue. On commencement, the borrowing provisions cease. Capital investment will be funded through the capital investment program, together with Australian Government and other funding. Housing functions will be funded by an annual appropriation, augmented by rent and other income, and the housing debt with responsibility for servicing and repaying it transfers to the Crown to be managed a whole-of-government level. In other words, the whole of Homes Tasmania debt comes back to the general government sector. And it's not a small debt.

Schedule 1, clause 2(1)(b) does this in a single line. On 1 July 2027, 'the rights and liabilities of Homes Tasmania become the rights and liabilities of the Crown,' without any further transfer or approval. We are approving that transfer now, subject to the passage of this bill. I asked the minister how big it is; how big is the debt? Let's be upfront and clear about what we're taking into the GGS because we already have a substantial bucket there and the

interest cost is increasing every day. I sent some of these questions through to the minister's team earlier, I hope the minister will be able to provide some feedback on this.

KPMG's analysis of the funding model forecast net debt of $1.11 billion within the forward estimates, peaking at $1.28 billion in 2030-31. Around $770 million is still not repaid by 2040-41. That model assumes no new builds or completions after 2031-32. So, KPMG, itself, warns that funding and debt requirement may be actually understated. KPMG also found that the funding model and the state budget do not agree. From 2027-28, the model's net debt is higher than the budget's. In 2028-29, the gap is around $156 million, about $1.11 billion in the model against about $955 million in the budget. So, I believe, even in supporting this bill, we're entitled to know which figure is right, because from 1 July next year, it is our figure, in our budget.

Now, I want to be fair. In one sense, this change is simply more honest. It'll be more visible, more transparent and we'll have an opportunity to more fully consider that during the budget process. But to be clear, the debt has always been the state's debt. Even when it sat over there in Homes Tasmania, it was guaranteed by Treasury through guarantees to TASCORP as all the borrowings of all the PNFCs are, and through budget appropriations. Parking it in the PNFCs made the general government sector debt look better on paper, but it did not make the liability one dollar smaller.

Transparency does not actually reduce the cost. It's great to have more transparency about this debt but we also need to understand what's costing us.

The 2026 Fiscal Sustainability Report told us, and on recent trends and without corrective action, general government sector net debt could grow from $4 billion in 2024-25 to around $129.5 billion by 2039-40.

We are now moving more than a billion dollars of housing debt directly into that sector at a time when interest costs are already one of the fastest growing lines in the budget. Every dollar spent on interest is a dollar not spent on a nurse delivering essential healthcare, a teacher delivering and educating our children, a police officer maintaining public safety and ironically, a much-needed house for a Tasmanian in need.

There is a second order effect here too, Mr President. Homes Tasmania could borrow for housing capital and that borrowing was dedicated to housing.

On the 1 July 2027, housing capital will compete inside the Capital Investment Program. It will compete against hospitals, schools, roads and every other demand in a very stretched budget. When Treasury looks for savings at the path to peak debt, housing capital will be on the table like everything else.

For the most recent report of the Auditor-General, No 4 of 2026-27: Auditor General's Report on the Financial Statements of State Entities, Volume 3, General Government Sector, including the Treasurer's Annual Financial Report, The Audit of State Entities and audited subsidiaries of the state entities, 31 December 2025 and 30 June 2026, we know capital expenditure is often deferred, delayed or reconsidered to balance the books.

That's clearly outlined in that report. The government has underspent its CapEx Budget for year on year for years, and the previous government used to do it too, in fairness, but this government's been doing it pretty much religiously.

The Auditor General stated in that report: [TBC 11.37]

> Departments collectively achieved only 65 per cent of budgeted capital expenditure. This continues a trend evident over recent years where planned infrastructure investment has not translated into actual expenditure, resulting in an average budget shortfall of almost one-third over the last 4 years.

That's been going on for years, Mr President, and now that the housing CapEx will be sitting amongst all the other CapEx, it will be subject to the same possible outcome here with far less than what we expect being spent because it's pulled back to help balance the budget because the budgets in need a bit of balancing.

KPMG also warned that bringing these functions into a state service agency is likely to change the budgetary treatment of the debt tied to the 10,000 homes target.

It warned that state service compliance and procurement requirements may slow the agency's response to market conditions, the reasons for the establishment of Homes Tasmania in the first place.

That's sits uneasily with the minister's stated aim of responding promptly to market opportunities and innovative partnerships. I know he understands the challenge.

The risk is plain, Mr President. The debt comes back and the new houses don't appear.

The target of 10,000 social and affordable housing by 30 June 2032 - KPMG reported 4184 completions by the end of 2024-25. That leaves around 5800 homes to deliver in seven years under a new structure with no borrowing powers of its own, competing for capital in a very tight budget.

Mr President, I ask the minister to put the following on the record in his reply or in the Committee stage.

What is the expected value of the housing debt transferring to the Crown on the 1 July 2027 and what is its maturity and interest rate profile?

What are the forecast annual debt servicing costs across the forward Estimates and will they see it in Building Tasmania's housing output groups or in Finance-General? Where do I need to look to find them?

Will the government adopt KPMG's recommendation for a multi-year funding framework for housing capital so delivery is not held hostage to annual budget cycles because if we don't have that, there's next to no guarantee that we will deliver the homes we're expected to?

How will the 10,000 homes target be protected now that housing capital competes in the capital investment program, in the GGS, and will progress be reported each year separately for social and affordable homes?

I might be told that some of these are matters for Treasury, but we're dealing with a really serious issue here and I have sent these questions through, I think it was yesterday, to try and get some responses. Schedule 1 clause 2, vest Homes Tasmania rights and liabilities under a shared equity scheme in the Crown, and what is the value of the MyHome portfolio, and what happens to any financing arrangements that relied on Homes Tasmania borrowing powers? And will housing performance be reported separately with its own measures in Building Tasmania's annual report and the budget papers? We need to understand this, so that we know that we're going to be better adequately track performance against stated expectations.

But those questions are important and I expect to get some responses to those. But there is much in this bill to welcome. I want to acknowledge Shelter Tasmania and the wider housing and homelessness sector who engage constructively and in good faith in a very compressed timeframe. Because of that advocacy there were amendments moved downstairs - the member for Mersey referred to a couple of these - but clause 3(1)(b) now states,

> The purpose ....of this Act
> (b) to recognise that housing is a fundamental human right.

And I look to jurisdictions like Finland where that's been the way it's been for, I don't know how long, but it seems like for a very long time. That's the first thing that any family is provided with, is secure, affordable housing. It is a fundamental human right. It's good to state it in the piece of legislation to make it unequivocal. Clause 3(1)(c) targets people on very low to moderate incomes. Okay, that's where it should be targeted. Clause 3(1)(e) embeds homelessness and crisis support, homelessness prevention and early intervention and outreach. Social and affordable housing is now defined in clause 4, in this first stage. Clause 3(2)(b) seeks viable, diverse and accessible housing and homelessness services. These are all positive changes. Clause 5(1)(c) makes clear that a person who is homeless or at risk of homelessness is an eligible person.

I do wonder how this will actually make a real difference on the ground, because I've had constituents living in a car, who have been living in a car for some time, and don't seem to be a priority, and I think how that can be. A car is not suitable, safe or affordable housing. I also welcome the amendment in the other place to clause 3(2)(c)(vi), social housing must now have an appropriate regard to the cultures and traditions relevant to its occupants, including Aboriginal culture and traditions.

I think that's respectful and it's important inclusion.

The minister has advised the sector that it's that its concerns about consultation is met by the reference to the community sector. Having read the second print of the bill, I'm not entirely sure it is, but I know the minister did make comment about this. He may like to confirm that further in his reply. I do note clause 1(k) lists partnering with community sector entities and clause 9(1)(m) is counselling and working with housing providers and representatives for the housing and homelessness sector, but these sit in the list of functions and powers section. These are three things the Crown may do not things it must do. I know Shelter Tasmania were asking for a little bit more certainty around some of those matters. But I do know that the minister has

some he made some further points on those matters. I know this is stage one as well; I also accept that.

I welcome to the amendment made in the other place to clause 5(5) now gives a person aggrieved by the secretary's determination of ineligibility dispute a right to appeal to TASCAT. I hope that those people I refer to, and other members were nodding there, I'm sure they have constituents in their areas in the same tragic situation, there is some form of review. One hopes it might help with that accountability. Shelter Tasmania rightly raised the concentration of power in the secretary without an independent merit review and this goes some way to addressing it. The government had intended to leave it to Stage 2 but agreed to bring it forward. That's welcome and I acknowledge that it was taken up. But that right of review is still fairly narrow. It applies only where a secretary determines a dispute about eligibility, and clause 5(3) says the secretary may do so with no timeframe. Let's hope the secretary acts promptly. Clause 5(2) lets regulations exclude whole classes of people from eligibility, as I read it. Also, as I read that, there is no review of decisions on allocation, priority transfer or tenancy support.

Clause 14(3) remains:

> A refusal by the Secretary to enter into a contract, agreement, deed or arrangement or to make an advance or grant is final and is not subject to external review.

I know this is not a matter dealing particularly with tenants, it's at the higher level. I just hope that doesn't end up coming back, creating a problem in the future - anyway, you can always be back here again, I guess. For a community housing provider or homelessness service whose funding is refused, that's the end of the matter. I do ask that the minister to reflect on that as to whether there should be some form of review there, but it seems like the secretary's decision is final. The secretary is not an elected person and I do have some concern about that lack of appeal and the secretary's word being final. That's 14(3), so I do ask the minister why clause 14(3) is actually necessary, why it would be structured that way and what circumstances would likely see such a refusal made. Give us an example of when it might be applied so that I can understand, I'm sure that other members may be interested too, when the secretary may refuse a community housing provider or homelessness services funding and that's the end of the matter and there is no appeal. So, I'll ask the minister to address his mind to that.

I also welcome the transitional provisions. Existing tenancies, applications, contract deeds and partnerships will not need to be remade and staff remain employed under the *State Service Act 2000*. Tenants and staff need that certainty and this bill provides that.

The bill creates a new form of tenure, 'housing Crown land'. Clause 8 provides that the *Crown Lands Act 1976* does not apply to it. So, the usual Crown land processes fall away. Clause 9(1)(e) gives the power to sell or dispose of land or assets and clauses 9(1)(o) and (p) extend to commercial and non-housing land and assets. Clause 9(4) confirms that land may be sold or transferred to any state entity under the *Financial Management Act of 2016*, or to a Commonwealth authority and clause 10 lets the secretary acquire land on any terms the secretary thinks appropriate.

What the bill does not contain is a public benefit test, a criteria for disposal, ministerial justification, or any requirement that the proceeds of selling, leasing or commercially using 'housing Crown land' to be quarantined for housing and homelessness services. As it stands,

those proceeds could simply be absorbed into consolidated revenue. This is a bit of a curious asymmetry, Mr President, in this bill, because under clause 12(2), if the minister wants 'housing Crown land' to revert to ordinary Crown land, a draft notice may be laid before both houses and either House can disallow it. Yet the same land, exact same land, can be sold outright under clause 9, with no reference to parliament at all. Essentially, if we're going to take it back, we get a say as a parliament, but it's going to be sold, we don't. It seems a bit at odds. What it's saying, as I read it, and I'm happy to be corrected if I'm misinterpreting this, but parliament has more say over reclassifying housing land than over selling it. Which does seem a bit odd to me.

Clause 21 requires a register of housing Crown land, but the secretary only need disclose it to someone with reasonable cause. Again, the secretary's got a fair bit of power here. Clause 22 provides the standard regulation-making power. So, 22(2)(a) allows regulations on reporting and valuation of sales and leases. I know we always pass these bills without seeing the draft regulations which may or may not the progress. But I do ask the minister: is it intended that this will actually be included in the regulations - when the regulations hit the deck, will that expectation that it'll allow the reporting and valuation for sales and leases?

With the agency now to be inside the government general sector and that sector under real financial pressure, we do need some real transparency around some of this. Public housing land is a finite public asset. Once it's sold, it's gone, and in a tight budget it will be very tempting to treat housing land as a ready source of cash. Sure, it might have houses built on it, but we do need to have visible decision making around this. The government has acknowledged this and it's committed to resolving it in stage 2 of the process, including how revenue is prioritised for new and social housing. I do ask the minister to reaffirm that commitment in his reply.

I also ask him to commit that the housing Crown land register will be readily available. People have to have just reason, but I think it should not be unreasonably withheld. And that reporting and valuation regulations for sales will be in place 1 July 2027, and that disposals will be reported to parliament - not as a separate report necessarily, but in the departmental annual reports or whatever so there is some visibility of it.

This brings me to the stage 2 commitments. The minister has given a commitment that stage 2 will begin by the end of 2026 with an open request for input to be completed by mid-2027. I welcome that because there is a lot of work to do.

I welcome clause 24 and I do note the member for Mersey's comments around this and the independent review. I think what's good about it is it does include at least one person from outside the State Service as soon as practicable after fourth anniversary of the commencement. But as the member for Mersey said, four years is a long time in this sector. I took full responsibility for my decision in 2022, and I think maybe it should be reviewed a bit sooner just to track against the expected outcomes. That's a matter that maybe the minister can provide some feedback on. I don't know if the member was suggesting a shorter timeframe on amendment, but I think it's worth considering. Four years is a long time, and it does run very hard up against that 10,000 new homes commitment.

I just want to say something about the process. We have been asked to deal with the bill this week, only days after it passed the Assembly. I understand why, and the staff certainly deserve certainty; industrial consultation takes time, I get that, and 1 July 2027 is not that far away. I, in good faith, am happy to progress with it. I appreciate the minister's desire to get

started on this, but this haste is entirely the government's responsibility, I will say that. We do see a pattern of important bills - and this is an important bill - suddenly reappearing or being introduced in the last sitting weeks of the year. That is something that could be avoided the majority of the time and that's a matter for the government to manage their own business.

When we see bills arrive late in the year with urgency attached and we're asked to compress our scrutiny and scramble to hear from key stakeholders, that can be problematic. Thank God we've got email, I guess, but catching up and hearing from the key stakeholders like Shelter Tas, who email us with ongoing and legitimate concerns, it gives very little time when you've got a very full schedule at the moment to actually ensure that we are hearing from those stakeholders and making sure that their voices are being heard. That said, I'm happy to progress. I have had communication with Shelter Tas and I've had commitments made by the minister in regard to the outstanding matters that they raised.

To conclude, structures and frameworks around legislation do not build houses, and boards don't build houses. Funding certainty, clear accountability, a capable workforce and a pipeline of well-located land do. If the Homes Tasmania experience taught us anything, it's that moving debt off the general government books and putting governance at arm's length does not solve a housing crisis. It just moved the problem somewhere else. This bill brings the problem and its debt back into plain sight and that's a positive thing, and I thank the minister for his commitment to this. And this is where it belongs. But now we must deal with it honestly and transparently. It must be really clear what the debt is, how it's going to be managed, how the housing commitment will fit in the capital investment program when there is such strong competition. And we know - we've seen every year in the budget, we saw it again just this week in the auditor-general's report - the pushing out of capital expenditure to make, to try to help the Budget balance. And everything's in the gun in that, everything, including - and it will be - including the housing.

So, that said, I will support the second reading of this bill, so the transition can proceed in an orderly way for staff, tenants, applicants and the sector, but I'm sure we'll all be watching closely and I'm sure the minister will expect regular scrutiny in this area as it progresses. So, Mr President, with that I will support the bill into the committee.

[11.56 p.m.]

The SPEAKER - The question is the bill we read the second time. I think the honourable member for Montgomery had it.

RECOGNITION OF VISITORS

Parliamentary Shield Debating Competition winners

Mr PRESIDENT -As the member makes his way to the lectern, I'd like to welcome to the chamber the Parliamentary Shield Debating Competition winners for 2026, who have joined us. Unfortunately, you aren't able to get up to the lectern and show us how it's done, but give it a few years. We're currently going through the Tasmanian Homes and Housing Bill 2026, and we're in the second reading stage, which is where honourable members of the Legislative Council get to put their thoughts down. If it passes the second reading stage, then we go into a committee where the members of the council look at it clause by clause and if it passes that, then the government are very happy, and it goes and gets the royal assent from the

governor, and the bill becomes an act. So, we know you've been to the other place this morning, and we welcome you here to the Legislative Council. It probably feels a little different to the other place, but we are two very different chambers, and I know all the honourable members here who represent different parts of the state enjoy seeing you in the chamber, and will make you most welcome to the Parliament of Tasmania.

Members - Hear, hear.

Mr PRESIDENT - The honourable member for Montgomery.

Mr HISCUTT (Montgomery) - Thank you, Mr President, and what a bill to be discussing before these people, because it's housing, which is something that will be very important for the youth coming through in the next couple of years. So, where do we start? We need more houses. This is fundamental. We have a bill before us. It talks about its purposes and objectives, things like reduction in housing stress, improving housing outcomes, providing crisis housing and support, acquiring homes and housing support services, sale, acquisition and development of land and managing that land.

We hardly need an act to tell us that these things are the right thing to do and what I must question is what has the government been doing if they have not already been doing this? This bill seeks to return the supply, building and management of homes to a government agency and that is a worthwhile objective. I will foreshadow early that I intend to support this bill's passage through the house. However, the government has not really provided a convincing alternative to this approach. The question is not whether change is needed, the question is whether this change will deliver the outcomes that Tasmanians desperately need. What we need to do is ensure that this mechanism stays accountable to the parliament and more importantly to the people of Tasmania.

Under this bill, Homes Tasmania will cease to exist. Its assets, liabilities, contracts and employees will transfer to the Crown. This of course comes with benefits and some detractions. On the benefits side of the coin is greater ministerial accountability. The person responsible to the parliament and ultimately to the people, is the minister. There will now be no opportunity to hide behind any other mechanisms. This is not to say that opportunities to hide have been taken currently, but they are now off the agenda. This should achieve the goal of making things clearer and more transparent. Housing falling under the auspice of the Crown also gains the benefit of economies of scale and the ability to work within a broader framework of infrastructure.

As a government entity, Building Tasmania would have a wider view of land availability, infrastructure requirements, other government projects and a broader picture of housing supply and delivery. We should now be better at turning government owned land into actual homes.

Mr President, it also may address the shortcomings within the existing structure. KPMG's review identified some significant concerns with the existing entity, including financial management and vulnerabilities associated with debt.

The bill also does a good job of ensuring that existing contracts, liabilities and assets, as well as legal arrangements, transfer to the Crown. This will ensure that Tasmanians will not be

disadvantaged by this administrative restructure. The bill also sets up some lofty broad housing mandates with its objectives including preventing homelessness, providing crisis accommodation and helping those who need assistance. However, Mr President, as always, there is a flip side to the coin.

Whether it be heads or tails, there is always another side.

Although we gain a level of accountability, we also lose a level of independence. A skills-based board, apart from government, may be able to make a decision that a minister or department may not.

How do we ensure that housing outcomes are not lost in bureaucracy, that the achievements of dedicated housing organisations are not diminished by competing departmental priorities and that decisions do not simply become harder to scrutinise because they are buried within a larger government structure.

I ask the government what specific arrangements will be put in place to ensure that housing and homelessness remain a priority, not just another branch competing for the same resources.

There is also concern regarding who is an 'eligible person'. It is defined under Clause 5. I'm glad that the members of the other place were able to amend the bill to include the option to appeal this decision to the Tasmanian Civil and Administrative Tribunal.

Mr President, there are also the considerable powers put in the hands of the secretary to administer this bill to consider things like determining the 'eligible person', as mentioned before, but also the acquiring of land, the managing the assets, the determining of some housing arrangements.

There is also a significant power which is put into the regulation instead of in the principal bill like Clause 52, where regulations could be made to specify that a person or a member of a specified class of persons is not considered an eligible person for this act.

When would a power like this be used? What class of person would be denied this? If the minister could provide an example, I would appreciate how Clause 52 may be used in practice.

Another piece which may be the coin on its side instead of heads or tails, the coin on its side, if we continue that metaphor, Mr President, is the review of this act. We obviously need to give this time to breathe, to allow it to work before we review it, but four years is also a very long time if things are not going well.

Had any other timelines been considered and why was four years chosen?

Mr President, ultimately, I do not think that Tasmanians will be particularly interested in which department or agency is responsible for delivering housing. They will be interested in whether they can get a home. They will be interested in whether waiting lists are coming down, whether more social and affordable homes are being delivered and whether homelessness is reducing and whether housing is becoming more accessible. I'd like to know what measures the government will use to demonstrate this restructure is actually working. What will success look like and how will the parliament and the public be able to measure it?

Mr President, having laid out the pros and cons, there are some additional questions that I would like considered.

Coming from a land use planning perspective, I would like to understand how Clause 10 would be managed. The secretary may acquire land for the purpose of this act. Does that mean the Building Tasmania can come into a municipality, purchase land and start building houses? How does it manage infrastructure requirements or strategic land use planning? What if councils had not intended future growth in that area or other strategic areas? How will this power be exercised in relation to local governments?

The same question applies to Clauses 11 and 13.

Just because something is crown land does not mean that it makes good housing land, although, Mr President, I will never miss the opportunity to make the government aware of a great parcel of crown land in Penguin near the traffic lights that would make some good infill housing.

Mr President, under Clause 21, the secretary is required to maintain a register of housing Crown land. However, I cannot see a requirement for that register to be made publicly available. Why not? This is public land owned by the people of Tasmania. Surely there is a reasonable expectation that the community can see what land has been identified, what land is being considered for housing, and how that land is being managed.

Mr President, I also want to ask one very simple but important question, what happens to the government's existing target of 10,000 homes? Does that target remain? Will the government continue to report publicly on progress against it? I would not want to see an administrative restructure become an opportunity to quietly move the goal posts or make the commitment disappear. It must not be used as an excuse to sweep that away under the carpet.

And there is another question about regionality. Coming from the north-west, I'm particularly interested in how regional housing will be recognised. We have seen too often that decisions made centrally in Hobart do not necessarily translate into the same benefits for regional communities. I want to understand what mechanisms will ensure that housing delivery is spread across Tasmania and that regional communities are not overlooked in favour of larger population centres.

Change for improvement is good. Change for change's sake can be good or bad, but change that simply hides inefficiencies, shifts responsibilities or moves the goal posts is not good enough. I will support this bill, but I do so with the expectation that this change will deliver real improvements for Tasmania because more homes fixes so many problems in Tasmania, from the cost of living to homelessness to mental health and broader health outcomes. So many of these challenges begin with one fundamental thing, having a safe, secure and stable place to call home. At the end of the day, Tasmanians are not particularly concerned about the administrative structure of government. They want to know whether more homes are being built, whether people are getting access to those homes, and whether the housing crisis is getting any better. Mr President, I hope this bill marks a genuine turning point. I hope that we see more homes built, better outcomes delivered and greater accountability for the commitments this government has made, because, ultimately, this is what this about. We need

more houses. And with those questions that I've put to the minister, I look forward to the government's response and the future debate on this bill.

[12.07 p.m.]

Ms LOVELL (Rumney) - Thank you, Mr President. I wanted to make a few brief comments on this bill. It's probably not very humble or parliamentary maybe, but I told you so.

Ms Webb - My speech starts like that too.

Ms Forrest - You can say that. I ate humble pie.

Ms LOVELL - And I do want to say how refreshing it was to hear the member for Murchison stand here today and admit that she got it wrong. I haven't heard the same admission from the government, funnily enough, although I suppose the bill kind of speaks for itself, doesn't it?

So how did we get here? Four years ago - four years, we've wasted four years - the government introduced Homes Tasmania and established Homes Tasmania as a statutory authority that was supposed to fix the housing crisis. We were told it would deliver more efficiently, deliver more housing more efficiently. It would operate off budget, it would be more nimble, it would be able to deliver more housing. This was their flagship reform to fix the housing crisis. At the time plenty of people, including Labor, warned against it. We warned about the lack of scrutiny, that we wouldn't be able to scrutinise the delivery of housing or the way the money was being managed in the same way that we could at the budget Estimates table. And look what's happened: on every measure Holmes Tasmania has failed. They have maxed out their borrowing limit in four years, $546 million. They had to get an emergency increase of $200 million just to be able to keep going.

And have they delivered more houses? Well, we've got over 5000 primary applicants on the waiting list, Mr President, and one in three applicants on the waiting list are children. These are people who are waiting for homes. And the government, and I heard the Premier this morning, even, saying that people on the housing waitlist, a percentage of them are in - I can't remember how he termed it - but they're not 'homeless.' They're in some kind of accommodation. But let's be clear about what we're talking about, we're talking about people living in cars, we're talking about people living in tents, we're talking about people living in spare bedrooms - a whole family in someone's spare bedroom, a caravan in someone's block, a shed, a garage. These are not secure housing. They're not safe places to live.

I know every member in this place would have the same number of people as I have coming to my office desperate for housing. Nobody should have to ever come to a member of parliament - who they don't know, by the way, I'm a stranger to these people - to come into my office and beg for help just to have a safe place to live. Tasmania is absolutely failing in providing safe housing for people. So, I welcome this bill. I welcome this bill because it's undoing what we said should never have been done. But what a waste, Mr President. What a waste. We've wasted four years. The waitlist has gotten worse. People are really struggling in Tasmania.

I do want to note in particular, in the bill, the purposes and objectives. I want to note this because I think it's a really positive thing. To have the purposes of the act outlined is, among other things, to recognise that housing is a fundamental human right. On that, can I say the

provision of services that are about addressing people's fundamental human rights should never be taken away from government. They should always be the most fundamental responsibility of government, and housing is absolutely one of those.

> to improve housing outcomes for eligible persons, persons otherwise experiencing housing stress and persons on very low to moderate incomes;
>
> to assist in the reduction and, where possible, the prevention of the incidence of housing stress and homelessness -

it should always be possible, as an aside:

> … the prevention of the incidents of housing stress and homelessness within the State and to prevent such matters as far as is reasonably practicable.

These are really positive things to have in the act upfront, page 1, purposes and objectives. You better believe that we will hold the government to account to those purposes and objectives in the years to come, just like we've held them to account on the establishment of Homes Tasmania and what an abject failure that has been.

I note that there are further reforms to come. I know this is a time-sensitive bill and I think, like all of us, we are keen to get this underway because we can't continue the way we've been going for the last four years with things getting worse and debt rising; debt, which now, as others have pointed out, comes back onto the government books. We have to be pulling every lever. The member for Montgomery is right, we need more homes and there is no single solution, we all know that, but we have to be pulling every single lever we can to increase safe housing options for Tasmanians.

I understand there are further reforms to come. I look forward to those further reforms and I encourage the minister - and I know he will, I know he cares about this - to undertake the right kind of consultation and work to get those reforms underway. I welcome this bill. I welcome this reform. It should never have happened in the first place. What a waste - four years, that's meant to be a term of government.

Ms Webb - Not in this state, apparently.

Ms LOVELL - Not in this state, but it would have been an entire term of government wasted. Anyway, I made my point, I think. I welcome the bill. I look forward to its passage through the Chamber and further debate.

[12.12 p.m.]

Ms WEBB (Nelson) - Mr President, I rise to speak on the Homes and Housing Bill 2026, which is No. 48 of 2026, which is very interesting. I think there's some common themes here because, in doing so, I wondered if it was in fact unparliamentary to open with 'I told you so', or actually many of us in parliament told you so.

Ms Forrest - That's why I needed to get up before you two.

Ms WEBB - It wasn't so much you, member for Murchison, that that comment was directed - not at all, in fact. It wasn't your decision to dismantle Housing Tasmania and make

it into Homes Tasmania in 2022; it was the government's decision at the time. Quite frankly, it was an absolutely misguided, ill-conceived decision at that time. It's quite interesting; I feel like we're in our own little Tasmanian mini-Brexit, to be honest. We did something absolutely ill-conceived and misguided four years ago and now here we are, looking to undo it - which is what I would suggest the UK do too.

Ms Lovell - Let's hope we're back doing TAFE one day, too.

Ms WEBB - Yeah, let's do TAFE, too. While you're at it, let's get on a roll and do TAFE. The really interesting thing is when we were, back then in 2022, establishing Homes Tasmania - I'm just going to paint the context of that a little bit actually as background here - at that time, there were 4419 households waiting on our social housing waitlist, and we were decrying the fact that that was up from 4240 in 2021, the year before, so it had already gone up 200. Well, as of September just this year, a couple of months ago, there are now 5653 households on that waitlist. As the member for Rumney said, was it one-third of those are children?

Ms Lovell - One in three.

Ms WEBB - One in three people who are a part of those households are children. The average wait time for priority applicants back in 2022 was 70 weeks, and we were absolutely appalled and decrying that. Well, right now, the average wait time for priority applicants on our waitlist for those 5653 households is 91.4 weeks. 91. Back then, we thought things were desperate and, in that context, the government was doing some pretty desperate and ill-conceived things. Yet here we are now, after their apparent solution that was going to be agile and innovative and help us deliver for decades to come to solve our housing problems, and we are much, much worse.

In 2022, we had been talking about things becoming far, far worse under this government, remembering they'd been in charge since 2014. Four years later, we have to note that the failures in housing and homelessness services have continued, our outcomes are deteriorating significantly before our eyes. It's catastrophically bad. I hate to think what we might be here discussing in four years' time on this record. At the time, the establishment of Homes Tasmania was posited as a solution. It was a way forward. We were going to be kicking housing goals for our state for decades to come with that new arrangement. Funnily enough, it was about futureproofing - a framework to future proof. And here we are.

The other interesting thing to note about the correlations between then and now, if the government was actually honest, at that time, the reason that Homes Tasmania was conceived of and then operationalised was because of a desperate machinery-of-government change. Members may remember in the beginning of 2022, the then premier Peter Gutwein announced in his state of the state address that Communities Tasmania, the department, would be dismantled. Quite frankly, he was doing that because of the appalling things that were coming out in the commission of inquiry and he desperately did not want that department to still be in existence when the commission of inquiry reported and we would have to do something about all the dreadful things coming out of that department and account for it.

So, in anticipation of that, based on the evidence coming out, he pre-emptively dismantled that department entirely. A machinery-of-government change. Sound familiar? A machinery-of-government change. What was going to happen then, because of the way

everything that had been in Communities Tasmania was being divvied up and put out to other government departments and we were creating, as members would recall, the Department of Education, Children and Young People and bringing things together in that space. It was going to leave behind, with no home to go to, ironically, a little homeless entity was going to be Housing Tasmania, which was the agency within the department that dealt with all these matters. We were going to have a homeless Housing Tasmania under those machinery-of-government changes. So, lo and behold, the bright idea, let's create Homes Tasmania, this separate entity under a skills-based board that will be agile and have a framework to deliver solutions for decades to come. And we all said - no, not all of us, sorry - many of us said, at the time, that is going not going to work. It's going to be a disaster. It's going to be less accountable. This is not a good idea. And yet we did it. And here we are four years later.

What I fear - and I really hope that this fear does not come to fruition - is that we find ourselves in a similar situation. Because what we've seen here is a really similar dynamic: dismantling of a department, State Growth, a machinery-of-government change, again, you know, happening probably because the government felt like it need to be seen to be doing something. Machinery-of-government changes are convenient ways for a government to look pretty busy and effective because it's doing stuff. It's changing the names of things to sound manly and interesting - Building Tasmania. But, what's this? We're seeing the same thing. Things are being shuffled about. Something shifted over to other departments. Some things being created into new entities altogether. Unfortunately, what I'm hoping is that this situation, where we've seen the entity of Homes Tasmania now being brought back into a department, Buildings Tasmania, I'm hoping that we don't see a repeat of history and have that become a bad idea down the track. I think it's a good idea on a whole range of ways for it to be coming back within the purview of a department, back much more directly under the responsibility of a minister, in a much more accountable way, hopefully, in that sense. So, structurally it's the right direction of change. And, I guess this bill, and importantly, most important, probably, the next tranche of reform, stage 2, will be really telling in determining whether this is a successful pathway forward.

The situation around our housing in this state - and we have young people in the Chamber with us today as we're discussing this, a lot of us have young people in our households, similarly, and it's a pretty dire outlook for them. For the first time in generations, we've got a generation of young people who are less likely to be ever homeowners than their parents. That's the first time in generations that that's the situation. How shocking. So, beyond the immediate catastrophic pain being felt by so many Tasmanians who are struggling in homelessness and housing stress and finding it very difficult to have that foundational aspect of their lives be secure and affordable, we're now looking at generations to come of potentially each subsequent generation finding it more difficult. Unless of course you've got the benefit of inherited wealth, you'll probably be fine then. Wealth, particularly wealth in property, will be something that's passed down through generations, but if you're not in that situation right now, it's going to be pretty hard for you to get into it in the future.

Anyway, back to the bill. I was very pleased to have the member for Murchison's contribution outline quite a lot of reflections on and questions about the financial aspects of this. I'm going to be very interested to hear the answers that the minister comes back with. I was also quite interested in details on how we will be able to hold these outcomes to account - when the entity's back within the department and we have it being part of our budget process and represented in budget papers, I'm very keen to know that that's going to be something we can easily track and hold people to account for, ministers to account for, that we won't lose sight of

the impact of decisions made in these areas and the outcomes in terms of measuring and monitoring those and providing oversight.

Other things I'd like to mention about the bill relate to the amendments made in the other place, which I welcome. There are two things about it; one's disturbing and one's a little celebration. Let's start with the positive; I'm really pleased that the other place did its job and actually made amendments for once. So often we feel or have the sense here that the other place perhaps has handballed it through - I'm not reflecting too much - handballed it through and then we do a very good job here.

Ms O'Connor - Minority parliament. That's the difference.

Ms Webb - Yes. This time, though, I am going to be congratulating the other place for the amendments made, all of which were very worthwhile and improved the bill. So that was really pleasing to see.

What disturbs me about that though, the thing that I find concerning is that, given that the government has been working on this bill and has known about this issue for some time, it disturbs me that the bill came to the parliament in such a state that needed those pretty basic, straightforward amendments made. It's disturbing that it couldn't be gotten right to a greater extent. It worries me and it worries me when I look ahead to the next stage of things and I think about the assurances being provided now and, with all due respect to the minister, who we like and admire in this place in many ways, assurances made by this government cannot be taken simply and in good faith, I don't believe. So, assurances about what the consultation will be like for the next stage, assurances about what will be in or out of the next stage, those sorts of assurances ring a little hollow, particularly this week.

So, I'm concerned about stage 2 and have some questions about it and the next set of reforms that might come through as part of that to beef out what we're putting in place here with this basic scaffolding, I suppose. I would like the minister to put something more specific on the record here as part of this debate about the timelines and the expected stages of that. Based on information provided at briefings, and that's why I'd rather it was drawn into this discussion here on the record, my understanding would be that if we're beginning with a term of reference for some form of paper or review by the end of this year that will be undertaken through the first half of next year, some final reporting will go to the minister in the middle of next year for consideration. It may suggest further legislative reforms and amendments to be made.

A period of time needs to elapse where those are considered by the minister and then developed and given effect potentially, so on my reckoning given that rough timeline mapped out, I'm concerned that we might not see further important legislative work done on this or delivered in this place on this bill until into 2028 and on some of the matters, I think that's potentially quite disturbing and I think that some external stakeholders would find that quite disturbing too. So, it worries me that this might be a protracted timeline before we see some other important things actually brought into bear in legislation in this place, potentially not until early 2028. I'd like the minister to address that to some extent in his summing up, if he would. That's concerning.

Another other thing I'd like to hear about is more detail on exactly what consultation with the community sector will look like during that stage 2 process. There is another area that I'm

interested in, and the member for Murchison touched on some of this in her contribution and some questions too, and I'm a little bit concerned here. I'm so concerned, and this might make the minister wince, I am so concerned that I've had an amendment drafted just in case, Mr President, to have in my back pocket. I appreciate we're trying to pass this bill this week and I support that on principle, and I know why we're trying to pass it this week, but one of the things that I've become quite concerned about - and I apologise I am raising a concern about at the last minute but, quite frankly, this has come upon us pretty quickly, we haven't had much time with it and we've been pretty busy with a few other things - and that's in the area of the interplay between Crown land what we're creating as 'housing Crown land'. After the member for Murchison's contribution, I'm actually even more concerned than I was in the first place -

Ms Forrest - I'm glad to have helped.

Ms WEBB - The issue I was already concerned about is we are creating this new category of 'housing Crown land' and that's fine, I understand that. We've set it up in this bill that if there was to be land that is allocated under 'housing Crown land' and badged that way that we want to shift back to being Crown land, that would be subject to a disallowance in this chamber, and rightly so, I think, but it doesn't go the other way. So, in Clause 12, where you have Crown land moving into being housing Crown land, there's no ability for this parliament to have oversight of that in terms of a disallowable instrument and that disturbs me. The reason it's more disturbing to me after the member for Murchison spoke is because this also allows the secretary, I think, to dispose of housing Crown land with very little oversight either. I think that's what I heard the member for Murchison talking about in relation to Clause 12. I will open Clause 12 so I can check that.

Ms Forrest - Clauses 11 and 12 are the two that I was referring to.

Ms WEBB - It was Clause 9.

Ms Forrest - Was it Clause 9?

Ms WEBB - Yes, I think it was about:

> Nothing in this act prevents the sale or transfer of land for the purposes of this act to an entity within the meaning of the *Financial Management Act* or a Commonwealth authority …(TBC)

I think that was relating to Clause 9, anyway, the area that I'm worried about is that we could have, for example, Crown land be turned into housing Crown land without any parliamentary oversight currently under the bill -

Ms Forrest - Clause 11. Had a look, yes.

Ms WEBB - and once Crown land without any parliamentary oversight is made into housing Crown land, I'm worried that it then can be sold on without any oversight either because there's no parliamentary oversight of that selling-on aspect, and that's concerning to me. I don't think that is what the Tasmanian people would expect when we're talking about Crown land and what they would expect in terms of there being parliamentary oversight on their behalf of important and irrevocable decisions being made about Crown land.

I'm highly concerned about that. In the in the first instance, I had a very quick amendment drawn up to pop in: disallowance into clause where it doesn't have it, which I've forgotten which number it is. I'm getting my elevens, twelves and others mixed up, Mr President. But members will understand. The one that doesn't have a disallowance, I'm looking to put a disallowance into. I'm just holding it there in my back pocket, because it highly concerns me. I will be interested to hear what the minister has to say in his summing up about these concerns.

Another thing that worries me is, if the answer from the minister is 'we can deal with it in stage 2,' I refer back to my earlier comments, that that might not actually be able to be dealt with here, in this place, under legislation, until potentially first half of 2028. There's a lot of, a lot of movement of Crown land, and importantly remembering this is Tasmanian people's public assets. A lot of movement of that can happen in the next year and a half. I'm highly concerned about that. To be honest, I'd be kind of inclined to personally move an amendment. If the amendment got up, I'd be inclined to move to third reading today to help it get through, so it could go back to the other place, but to actually, at least have a little bit more surety in there around, not just being able to shift about Crown land from one category to another, where it has less oversight from parliament.

Probably said enough about that. I'm going to keep thinking on it. Again, we're rushing here. None of us have had that much time to think about it. If I throw that amendment at members, at this last minute, just before committee stage, that's pretty unfortunate. I apologise to members that, if and when that occurs, but the -

Ms Forrest - Well, I was only working on this yesterday and reading through it properly.

Ms WEBB - One hundred per cent. I feel like I've barely read every word in it. Absolutely. Very unfortunate. But Mr President, it won't surprise anyone that I'm very interested in there being parliamentary oversight, particularly over public assets. Very interested in making sure that governments of the day, executives, are accountable to the parliament for decisions being made, particularly about public assets like that. That's a big flag that I'm waving right here for the government to hopefully have a good response to.

Looking through my notes, Mr President, to see if there's other areas I wanted to mention before wrapping up. One of the things I'm going to note, as a positive. It's always nice to drop the positives in when we can. I'm very, very pleased to see that we've retained the very clear and unambiguous statement in Clause 3, under the Purposes and Objects of the Act, 1(b), which says to recognise that housing is a fundamental human right.

Ms O'Connor - It was your amendment.

Ms WEBB - It was. It was the work of this place, Mr President -

Ms O'Connor - Your amendment.

Ms WEBB - under my amendment that put that in there, when we did the *Homes Tasmania Act 2022*. I really thank the government then for agreeing to that and being very helpful to facilitate that becoming explicitly stated in our legislation. It is really great to see it retained and carried through into this act. I thank the government for that.

The thing about that, of course, is that having that recognition in the legislation is one thing. I'm very interested in whether we're going to be thinking about how that becomes operationalised, implemented; how it's represented or illustrated through the functioning of the agency. That's a conversation we didn't have to any particular great degree while we had Homes Tasmania as the entity responsible. Now we're shifting back into a new model again. We're looking at some comprehensive matters under stage 2 reforms. I'm very interested to activate a more active discussion around how we actually 'walk the talk' on that part of the legislation. How does the government intend to see that commitment in the act actually illustrated in the operations of the entity, when we're back within the department doing this work? I'm especially interested in ensuring that, during consultations with our community sector partners in this - the public and community housing providers, for example, and the providers of services in our housing and homelessness services - that consultation with them includes consultation about how we better ensure that statement in the bill becomes part of how services are delivered on the ground. We know by the work of the Tenants' Union, for example, who have had to appeal heartless evictions from our public and social housing numerous times in the Supreme Court, that vulnerable Tasmanian's housing human rights are not always respected and are sometimes really put through the ringer.

I think it's time, as part of this next series of discussions around stage 2, to activate a conversation about how we are ensuring that our housing and homelessness services and our housing strategy and planning, and how we operationalise this act and how things are going to be under this act, that we talk about how that aligns with housing as a human right. I would like a commitment from the government, from the minister, that that will be part of conversations that we explicitly have in relation to progressing. I'm not dictating what that has to look like, just that it should be an active and explicit discussion.

The other place, of course, amended - one of the good amendments made to the original bill - was to have the secretary's determination that a housing applicant may not be eligible be able to be appealed, which is great. There's no time limit on that, however, and I think it's interesting to see some feedback from some stakeholders around that. I know that whilst it's beneficial for tenants, in practice it isn't necessarily excellent because the information may be disposed of, memories lapse, reports expire. So, when time elapses, things can become very difficult to appeal. I do know that there was some conversation from the Tenants' Union suggesting, for example, that consideration be given to a 30-day period to appeal eligibility. That lines up apparently with South Australia's *Housing Trust Act* and Housing Trust Regulations.

Minister, I know all of these things have been flagged for stage 2, and I trust that you will be examining the potential in relation to some of the amendments made here, that we further look at what more may be needed around those amendments to this bill.

I think that's gone through the specific bits I wanted to speak to, and I appreciate that this has been a somewhat scrappy contribution, partly because we haven't had a great deal of time, as I said, to spend on this bill and to really comprehensively put our thoughts together. I hope that there's going to be some really good answers to some of those things that I've raised and some things raised by other members that I'm very keen to hear about.

Housing here in Tasmania is disastrous. We just had the Rental Affordability Index come out. We have the nation's sharpest annual fall in rental affordability. Again, this is something we've been speaking about for years as being desperate, and yet it gets worse. Year on year it's

getting worse. We've had record low rental affordability in Greater Hobart and in regional Tasmania. Hobart's now the country's second least affordable capital city for rental affordability behind Perth. Over the past year, Hobart and regional Tasmania have had the steepest declines in the country, down 8 per cent in terms of affordability. It's equal, apparently, only to regional South Australia.

People throughout our community are in desperate circumstances. The member for Rumney mentioned that we see many of them come to seek assistance in our offices. I know we all want good outcomes here. The government of the day are the ones who are responsible for it. This is a government that has been in power now for 12 and a half years. This is on them, the fact that it just gets worse year on year on year.

I hope that the move in this bill to restore things to what I hope is a more accountable setting, at least within the government department, I hope that that means we can continue to hold the government and this minister to account for actually turning this around. If that doesn't happen, I don't know where our state's headed, quite frankly. With that, I'll conclude my remarks on the bill.

[12.29 p.m.]

Ms GLADE-WRIGHT (Huon) - Mr President, I rise with a scrappy contribution also. In fact, I've decided not to give my speech today just for the sake of brevity because it repeats a lot of what everybody has said. But because I don't have as much history as other members, I'm really rising with a question. I wanted to understand what the specific problem the government is trying to address by moving the responsibility back to government. In particular, what are the issues or the shortcomings that have been identified with the Homes Tasmania model that have prompted this change?

I did also want to put on the record I'm really pleased to see that the bill does reference that housing is a human right. Obviously, it's just words at this point in time, so it's really important that be reflected on the ground. But they are important words to have guiding the new agency. So, I will be supporting the bill. Thank you.

[12.41 p.m.]

Ms O'CONNOR (Hobart) - Thank you, Mr President. Three of us in here today have had the same idea about how to start our contribution on the Tasmanian Homes and Housing Bill of 2026. I cast my mind back four years to when I was in the other place and the Homes Tasmania Bill of 2022 was going through the parliament. We raised a number of legitimate and serious concerns about what the effect would be of taking your home building and rental management capacity out of the general government sector and putting it over here as a statutory authority, which we said at the time, Mr President, the government will be able to load up with debt which it hides over there. And we've asked multiple questions about it ever since. Now we know, as a consequence of the decision to establish Homes Tasmania, there's hundreds and hundreds of millions of dollars, a billion dollars or so sitting there in debt.

And this is not very long after much was made of the decision to eliminate the Commonwealth state housing debt. It hung over the neck of Housing Tasmania like an albatross for decades, Mr President. When I was Housing Minister, effectively what would happen is about a $20 million cheque, for want of a better term, would come in from the Commonwealth and in order to cover off our debt repayment, we'd send back about $16 or 17 million.

Ms Rattray - It was 16.

Ms O'CONNOR - Thank you.

Which meant that there was, in terms of how many homes you could build with the Commonwealth allocation, was really small change, Mr President.

Nonetheless, during those four years of the Labor-Green Government, in part because we had a federal government that took tackling homelessness seriously there was some money here left in the kitty by the former premier, Paul Lennon, about $60 million. We constructed more than 2,000 new affordable, energy efficient homes. As I've reminded members in this place before. We had the housing waitlist at its lowest level in a decade because we focused on providing secure, affordable, comfortable homes in communities. We commissioned the then state architect to undertake a liveability strategy.

Ms Webb - Where did that role go, I wonder? The state architect?

Ms O'CONNOR - The State Architect actually probably cut, I think, in the first year of the Hodgman Liberal government.

Ms Webb - I think you're right.

Ms O'CONNOR - I think I might be right.

Ms Webb - Do you remember the State Demographer? We were supposed to have one of those.

Ms O'CONNOR - Oh yeah.

Ms Webb - Didn't actually happen.

Ms O'CONNOR - One of them too. And wouldn't it have been a much better outcome for the people of Tasmania if we still had a State Architect, if we actually had a State Demographer and if we had real expertise in forming some of the decisions we make about where we construct housing, how we build it and for who. But we don't actually have those positions.

And since then, what has happened, and it started as soon as the Liberals came into government in 2014, their first state budget had precisely $0 allocated towards the construction of homes for the people of Tasmania who need them, eligible people who needed Housing Tasmania. There was no new money put into the state budget after the Liberals took office. The then-treasurer, Peter Gutwein, basically put up the hand when we asked him questions about this in the other place. There was no new money allocated in the state budget until the Liberals had been in government for almost three years. We are - not we - the disadvantaged people, the people who are desperate for homes, the people we represent, are paying the consequence of that choice -

Ms Webb - Paved the way.

Ms O'CONNOR - Yep - and they're equally paying the consequence of another political choice that members who supported the stadium have chosen not to raise in their contributions today. That was a political choice to instead of invest in the social infrastructure of housing that creates every opportunity in a person's life, they chose to roll over to Gill McLachlan and saddle us with a stadium, which I'd put money on, will cost us more than $2 billion to construct.

Here we are, political choices. It was a political choice not to rein in short-stay accommodation, so now Hobart, the city I represent, has the highest concentration of short-stay accommodations of any capital city in the country, and it's largely unregulated. That was a political choice, and of course the consequence of that was that the supply of rental homes in the capital city shrank considerably. That of course meant that availability was squeezed, vacancy rates close to zero, but it also meant that rents started climbing in the private rental market because when you're not investing in social and affordable housing, people move into the private rental market to try to find a private rental that they can afford. You talk to young people today about the difficulty they have finding a rental and then being able to pay the rent.

It was folly for the government at the time to take those obligations and responsibilities out of the general government sector to effectively dissolve Housing Tasmania and create this new statutory authority, and here we are, four years later, trying to fix it up. Of course we'll support the bill.

Of course I know that within Homes Tasmania, just as they were in Housing Tasmania, there are some of the most dedicated, highly-skilled professional state servants who work every day to increase the supply of social and affordable housing, but there is only so much you can do when a government has chosen to allocate the public funds that it administers to other areas, and obviously the primary example of that is the Macquarie Point stadium. Honestly, I find it sort of frustrating that some members get up in this place and rail about the government's lack of investment in social housing and tell us we need more homes for Tasmanians - well, der - and some of those members stood in here last December and voted through the Macquarie Point Stadium Order. It's a bit like Labor having a crack at the government on their job cuts - pretty hard to do that when you voted to help create the problem.

A number of matters were raised by Shelter Tasmania, which have been mentioned by other members in their contributions, but I'm going to read them in again so that the minister for Housing is under no illusions about the matters that are of concern to our peak housing body. They note that they've been working with the office of the minister, Kerry Vincent MLC, about their remaining concerns, and I'm absolutely certain, given what we know about this minister in our place, that they were respectful and good-faith discussions. Pattie Chugg, who's the CEO of Shelter Tasmania and who, honestly, for decades has done so much to advocate for people's right to have a secure and affordable home -

Ms Rattray - Through you, Mr President, a good Scottsdale girl.

Ms O'CONNOR - She's a really terrific Tasmanian.

Pattie, on behalf of Shelter, says that the two concerns that remain are 'stronger obligations relating to sector consultation and engagement and stronger asset disposal and reinvestment safeguards at a public benefit test.' [TBC]

They say that

> In positive news, they can confirm the minister has acknowledged both issues and has committed to reiterating the need to address both in his second reading this week. In relation to the first of our outstanding concerns, the minister advised Shelter Tas that this has been adequately covered in the proposed bill which now includes a specific reference to the community sector. The second of our concerns is not yet fully addressed, however, we note the government's recognition of the need to resolve this in consultation with the sector.
>
> We're pleased that government acknowledges the need for transparent financial structures -

Which is not what we have with Homes Tasmania, and that is my editorialising. I don't want to put those words in Pattie's mouth, so I'll say the sentence again so it's more complete,

> We are pleased that government acknowledges the need for transparent financial structures to ensure an ongoing future commitment and that an opportunity to consider how generated revenue is prioritised for new housing delivery, including the supply of social housing, will be provided in stage 2.

They thank us for our collective work.

> As work progresses on the important task of transitioning Homes Tas back into government and mitigating the impact on the sector, Shelter Tas will continue to advocate strongly to ensure the core purpose of the new agency remains focused on delivering a fit for purpose and equitable housing system for Tasmanians in need. [TBC]

Back in 2022, the original Homes Tasmania bill, before we had good faith negotiations with the then minister for Housing, had its objects all back-end-about and, from memory, the objectives of the *Homes Tasmania Act*, as originally presented to the parliament, the headline objective related to just building more homes, and the language was sort of agnostic about whether they'd be homes for Tasmanians in need or whether they'd be homes built by private developers, some, of course, of whom will be building fantastic developments, others, of course, of whom will be Liberal donors. I note, and I'm very proud of the honourable member for Nelson's insertion into the *Homes Tasmania Act* the need to recognise that housing is a fundamental human right. And back in 2022, the minister, Mr Barnett, made sure that the primary objectives of the *Homes Tasmania Act* were about delivering social and affordable housing to Tasmanians who need them.

I went back and had a look at a now defunct act, the *Homes Tasmania Act 1935*. I had a look at, but left on the printer, their definition of an 'eligible person' and it's not entirely different from the definition of an 'eligible person' here, although in the Homes act it's sort of split into two parts, but it's the same basic principle.

> A person who is a member of a class of persons who's determined under section 5 to be an eligible person, that's prescribed for the purposes of this definition.

It's almost identical to the way it is in the act, which is almost 100 years old now, that was repealed when the parliament mistakenly established Homes Tasmania.

On the question of Crown land acquisitions and disposal, I share concerns raised by other honourable members about the potential effect of this and the risk - if you want to put it in a simple way - of public land being traded through to private developers with no certainty over social housing outcomes. In the past, and I can speak from my time as minister, there were very broad powers under the *Homes Tasmania Act 1935* for the Director of Housing to acquire land for the purposes of housing and to dispose of land for other purposes when that land is deemed to be not suitable for housing. An example was when the Department of Education decided that the adult education facility in North Hobart was surplus to requirements. Housing, when I was minister, negotiated with the Education department to purchase that site and that was the beginning of the Trinity Hill Youth Housing Development.

So, you do need to give your Director of Housing the power and the responsibility to purchase and dispose of land, but I'm not sure this mechanism is the right one. It would be helpful for the minister to explain why - and the clauses actually work together, 10, 11 and 12 - but what is the rationale behind provisions that allow for public Crown land to become housing Crown land and how is it different from what's happening now? It is different from what happened when I was minister in terms of the language, obviously. Housing Tasmania, as it was then, was the actual owner of significant areas of public land right around the state. We had a big spreadsheet that showed us where all the potential housing land was and what you could move around in order to have good homes constructed for people that also became part of communities. Because it's one thing to build a house for someone, it's another to make sure it's a home in a community that's connected to services and opportunities.

Terrible mistakes were made in the past with the best of intentions and that was at a different time when the construction of social housing was very mainstream and lots of people, lots of people, lived in social housing. It was part of the development of this state. It built an enormous public asset that belongs to the people of Tasmania, which is why it's so important that we get this framework right. Because we're dealing with a vast public asset. I'm not sure what its current value is; I think there's somewhere in the vicinity of 11,500 Homes Tasmania homes. A number where their tenancies are being managed by community housing providers. But they are an enormous public asset and vital social infrastructure. So, we're dealing with the homes, but we're also dealing with the land that is either currently vested in Homes Tasmania, or which Homes Tasmania might decide it wants to buy for the purposes of building more homes for people.

Now, whether or not this gets the government any closer to its target of building 10,000 new homes by 2032 - well, I hope so. I hope so. We've heard a lot of talk about this since it was announced some six years ago now, I think. I know under this minister there's a new energy and determination to make sure that there is genuine striving and capacity to meet that target. But the target itself is already outdated in a way, because when we undertook an inquiry into housing a few years ago, we were told by social advocates that the number of people looking for a home in Tasmania is about 11,500.

So, with those few words, of course, we'll support the bill, and I look forward to seeing any amendments that might come forward.

Sitting suspended from 1.00 p.m. to 2.30 p.m.