



TASMANIA

# LEGISLATIVE COUNCIL

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

## VOTES AND PROCEEDINGS

No. 13

THURSDAY, 29 SEPTEMBER 2022

**1 COUNCIL MEETS.**— The Council met at 11.00 o'clock in the forenoon.

**2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.**— The President said: “We meet today on Tasmanian Aboriginal land. We acknowledge and pay respect to the Tasmanian Aboriginal people and elders, past and present. We recognise them as the traditional and original owners and the continuing custodians of this land.”

**3 PRAYERS.**— The President read Prayers.

**4 PAPERS.**— The Acting Clerk of the Council laid upon the Table the following Papers:—

- (1) Report of the Auditor-General No. 1 of 2022-2023: Improving outcomes for Tasmanian senior secondary students. Dated 29 September 2022.
- (2) Report of the Integrity Commission No. 1 of 2022: A summary report of own-motion Investigation Fisher, into any misconduct committed by Derwent Valley Council Councillor Paul Belcher relating to his relationship with a property developer.
- (3) Ministerial Statement of Expectations for TasTAFE. Dated August 2022.
- (4) Waste and Resource Recovery Act 2022: Ministerial Direction 1: Priorities, Assistance and Support Programs. Tasmanian Waste and Resource Recovery Board.
- (5) *Police Powers (Assumed Identities) Act 2006*: Annual Report 2021-2022.
- (6) *Police Powers (Surveillance Devices) Act 2006*: Annual Report 2021-2022.
- (7) *Police Powers (Controlled Operations) Act 2006*: Annual Report 2021-2022.
- (8) Australian Criminal Intelligence Commission. *Police Powers (Surveillance Devices) Act 2006*: Annual Report 2021-2022.
- (9) Australian Criminal Intelligence Commission. *Police Powers (Controlled Operations) Act 2006*: Annual Report 2021-2022.
- (10) *Listening Devices Act 1991*: Annual Report 2021-2022.
- (11) Ombudsman Tasmania. Report on Inspections Under the *Police Powers (Surveillance Devices) Act 2006* and the *Police Powers (Controlled Operations) Act 2006*.
- (12) Review of the use of Surveillance Devices in Prisons. Terms of Reference.

**5 ANNUAL REPORT OF THE PARLIAMENTARY STANDING COMMITTEE OF PUBLIC ACCOUNTS.**— Ms Forrest presented the Annual Report of the Parliamentary Standing Committee of Public Accounts.

*Ordered*, That the Report be received. (Ms Forrest)

*Ordered*, That the Report be printed. (Ms Forrest)

**6 REPORT OF THE PARLIAMENTARY STANDING COMMITTEE OF PUBLIC ACCOUNTS.**— Ms *Forrest* presented a Report of the Parliamentary Standing Committee of Public Accounts in relation to a Review of Selected Public Works Committee Reports: Report 41 of 2020: Sorell Emergency Services Hub; and Report 15 of 2020: Major Redevelopment of Sorell School.

*Ordered*, That the Report be received. (Ms *Forrest*)

*Ordered*, That the Report be printed. (Ms *Forrest*)

*Ordered*, That consideration of the Report and its noting be made an Order of the Day. (Ms *Forrest*)

**7 BILL NO. 35.**— The Order of the Day was read for the consideration of the Homes Tasmania Bill 2022 as amended in Committee of the Whole Council.

*Ordered*, That the Bill, as amended in the Committee, be now taken into consideration.

The Council, accordingly, proceeded to take the same into consideration.

The Amendments were read the First time.

The said Amendments, being read the Second time, were agreed to.

A Motion was made and the Question was put, That the Bill be now read the Third time. (Mrs *Hiscutt*)

Council divided.

AYES 8

NOES 6

Ms *Armitage*  
Mr *Duigan*  
Ms *Forrest*  
Mr *Gaffney* (Teller)  
Mr *Harriss*  
Mrs *Hiscutt*  
Ms *Howlett*  
Ms *Palmer*

Mr *Edmunds*  
Ms *Lovell*  
Ms *Rattray* (Teller)  
Mr *Valentine*  
Ms *Webb*  
Mr *Willie*

It was resolved in the Affirmative.

The Bill was read the Third time and passed.

**8 BILL NO. 35.**— A Message to the House of Assembly:—

MR SPEAKER,

The Legislative Council having this day agreed, with Amendments, to a Bill intituled —

‘A Bill for an Act to establish Homes Tasmania, to promote the development of affordable housing, to enable the provision of housing assistance to, and improve the housing conditions of, eligible persons, to support the provision of affordable housing, housing support services and community support services to persons who require such housing or services, to assist in the formation of policy in relation to housing, and for related purposes’,

now returns the same to the House of Assembly, and requests its concurrence therein.

*Legislative Council, 29 September 2022*

C.M. FARRELL, *President*

**9 BILL NO. 36.**— The Homes Tasmania (Consequential Amendments) Bill 2022 was read the Third time and passed.

**10 BILL NO. 36.**— A Message to the House of Assembly:—

MR SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled, ‘A Bill for an Act to amend various legislative instruments consequent on the enactment of the *Homes Tasmania Act 2022*’.

*Legislative Council, 29 September 2022*

C.M. FARRELL, *President*

**11 BILL NO. 63 OF 2021.**— The Order of the Day was read for the Second reading of the Climate Change (State Action) Amendment Bill 2021.

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

A Debate arose thereupon.

*Ordered*, That the Debate be adjourned. (Ms *Forrest*)

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

The Sitting was suspended at 12.17 o'clock p.m. and resumed at 2.30 o'clock p.m.

**13 QUESTION TIME.**— The President called for Questions without Notice. There were five Questions asked.

**14 BILL NO. 63 OF 2021.**— The Council, according to order, resumed the Debate on the Question, That the Climate Change (State Action) Amendment Bill 2021 be now read the Second time.

*Ordered*, That the Debate be adjourned. (Mrs *Hiscutt*)

**15 BILL NO. 41.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to amend the *Guardianship and Administration Amendment (Advance Care Directives) Act 2021* and the *Tasmanian Civil and Administrative Tribunal Act 2020*’,

to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 29 September 2022*

MARK SHELTON, *Speaker*

The Bill was read the First time.

*Ordered*, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

**16 BILL NO. 29.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to amend the *Land Use Planning and Approvals Act 1993*’,

to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 29 September 2022*

MARK SHELTON, *Speaker*

The Bill was read the First time.

*Ordered*, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

**17 BILL NO. 12.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to amend the *Roads and Jetties Act 1935*’,

to which the House desires the concurrence of the Legislative Council.

*House of Assembly, 29 September 2022*

MARK SHELTON, *Speaker*

The Bill was read the First time.

*Ordered*, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

**18 BILL NO. 35.**— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly doth agree to the Amendments made by the Legislative Council to the Bill, intituled — ‘A Bill for an Act to establish Homes Tasmania, to promote the development of affordable housing, to enable the provision of housing assistance to, and improve the housing conditions of, eligible persons, to support the provision of affordable housing, housing support services and community support services to persons who require such housing or services, to assist in the formation of policy in relation to housing, and for related purposes’.

*House of Assembly, 29 September 2022*

MARK SHELTON, *Speaker*

**19 ADJOURNMENT.**— *Resolved*, That the Council will, at its rising adjourn until 11.00 o’clock a.m. on Tuesday, 18 October 2022. (Mrs *Hiscutt*)

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

The Council adjourned at 5.54 o’clock p.m.

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

*Briefings:*

- *Venture Minerals Project*
- *Vehicle and Traffic Amendment (Driver Distraction and Speed Enforcement) Bill 2022 (No. 20)*
- *Climate Change (State Action) Amendment Bill 2021 (No. 63 of 2021)*