



HOUSE OF ASSEMBLY

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 5

WEDNESDAY, 24 AUGUST 2022

- 1 The House met at Ten o'clock a.m.
- 2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE. - The Speaker made a statement acknowledging the traditional people of the land.
- 3 PRAYERS AND REFLECTION. – The Speaker read Prayers.
- 4 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice commenced.
- 5 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Franklin, Mr *Winter*, to withdraw from the House until 12 noon owing to repeated interjections.
- 6 QUESTIONS SEEKING INFORMATION. – Questions without notice continued.
- 7 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Bass, Ms *O'Byrne*, to withdraw from the House until One o'clock owing to repeated interjections.
- 8 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.
- 9 LEAVE TO MAKE MOTION WITHOUT NOTICE. - *Ordered*, That the Minister for Hospitality and Events have leave to make a Motion without Notice. (The Minister for Hospitality and Events)
- 10 SITTING TIMES. - *Ordered*, That for this day's sitting the House not stand adjourned at Six o'clock and that the House continue to sit past Six o'clock. (The Minister for Hospitality and Events)
- 11 MATTER OF PUBLIC IMPORTANCE: ROCK LOBSTER FISHERY. – Ms *Finlay* in accordance with Standing Orders, moved - That the House take note of the following matter:

Rock Lobster Fishery.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

- 12 PUBLIC SECTOR WAGES. – A Motion being made and the Question being proposed—That the House:—

- (1) Notes:—
 - (a) workers across a number of core State Government services including healthcare, education, child safety and emergency services have commenced, or are soon to commence, industrial action in protest of their treatment by the Government;
 - (b) the Government's current wages position will deliver a real pay cut to tens of thousands of Tasmanian public sector workers; and
 - (c) Tasmania's health professionals, teachers and firefighters are some of the lowest paid workers in their careers in the country.
- (2) Recognises:—
 - (a) the Tasmanian community depend on the services that the Government provides and it is important that those services are delivered by professional and skilled public sector workers; and
 - (b) that public sector workers deserve so much more than platitudes and words of appreciation from this Government.
- (3) Acknowledges that staff shortages continue to impact many key government services, which is exacerbated by staff becoming over-worked and under-valued.
- (4) Commends the hard work of Tasmania's public sector workers who have faced unprecedented challenges in continuing to deliver core government services through the COVID-19 pandemic.
- (5) Calls on the Government:—
 - (a) to undertake wage negotiations in a good faith and ensure issues such as safe workplaces and job security are addressed; and
 - (b) to commit to a pathway to achieve competitive public sector wage parity during the current enterprise bargaining negotiations. (Mr O'Byrne)

A Debate arose thereupon.

And the Question being put;

The House divided.

AYES 12

Ms Butler
Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff
Dr Broad (Teller)

NOES 12

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Street
Mr Tucker
Mr Young
Mr Wood (Teller)

SPEAKER GIVES CASTING VOTE. – The Speaker said: 'The numbers being equal, in accordance with Standing Order 167 I cast my vote with the Noes.'

So it passed in the Negative.

13 **SUSPENSION OF SITTING.** - At One o'clock the Speaker left the Chair.
At half-past Two o'clock the Speaker resumed the Chair.

14 **BILL NO. 30 OF 2021.** - The Order of the Day being read for the Second reading of the Residential Tenancy (Rental Market Reform) Amendment Bill 2021.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time.
(Ms *O'Connor*)

A Debate arose thereupon.

An Amendment was proposed by Ms *Haddad* by leaving out all words after "That" and inserting instead:

- "(1) A Select Committee be appointed, with power to send for persons and papers and records, to inquire into and report upon:-
 (a) the Residential Tenancy (Rental Market Reform) Amendment Bill (No. 30 of 2021);
 and
 (b) Other matters incidental thereto.
- (2) The Committee shall consist of 6 Members being: 3 from the Government nominated by the Leader of the House; 2 from the Opposition nominated by the Leader of Opposition Business in the House; and 1 from the Tasmanian Greens nominated by the Leader of the Greens.
- (3) The Committee report by Thursday, 24 November next."

Ms *O'Connor*, *by leave*, withdrew her indication that a vote be required on the Bill today.

And the Question being put – That the Amendment be agreed to;

It passed in the Negative.

15 **POWER PRICES.** – A Motion being made and the Question being proposed—That the House:—

- (1) Agrees with the Tasmanian Liberal Party State Council that, "The Tasmanian Government has greater discretion to determine the price at which energy is sold to the national grid."
- (2) Acknowledges that Tasmanians are under unprecedented cost of living pressures, even before power prices went up by 12%.
- (3) Notes the advice from the Department of Treasury and Finance that, in the event of further volatility in mainland National Electricity Market prices in the future, the Government retains the ability to re-introduce previous policy instruments to protect Tasmanian households and businesses.
- (4) Calls upon the Government to immediately commence work to implement a pricing structure so that Tasmanians pay Tasmanian prices for Tasmanian power. (Mr *Winter*)

A Debate arose thereupon.

16 **MEMBER SUSPENDED.** – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Lyons, Ms *Butler*, to withdraw from the House until Five o'clock owing to repeated interjections.

17 **POWER PRICES.** – And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

The House divided.

AYES 12

NOES 12

Ms Butler
Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff
Dr Broad (Teller)

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Street
Mr Tucker
Mr Young
Mr Wood (Teller)

SPEAKER GIVES CASTING VOTE. – The Speaker said: 'The numbers being equal, in accordance with Standing Order 167 I cast my vote with the Noes.'

18 PRIVATE MEMBERS BUSINESS. – In accordance with Standing Order 42, *Mrs Alexander* indicated that the Government Members' Private Members' Business for this day's sitting would be waived.

19 BILL NO. 63 of 2021. - The House, according to Order, again resolved itself into a Committee on the Climate Change (State Action) Amendment Bill 2021.

(In the Committee)

The Chair of Committees took the Chair.

Clause 5, as amended, agreed to.

New Clause A was brought up by *Ms White* and read the First time as follows

A. Section 4A inserted

After section 4 of the Principal Act, the following sections are inserted:

4A. Guiding principles for fair and equitable transition

- (1) In determining whether the transition towards a low-carbon economy and a low emissions future is fair and equitable, regard must be had to the following principles:
- (a) community engagement;
 - (b) the provision of appropriate information to members of affected communities, especially Aboriginal, vulnerable or marginalised communities;
 - (c) the pursuit of sustainable economic, social and ecological solutions for affected communities;

- (d) equity for households, businesses, workers, communities and rural and regional areas, taking into account their social, cultural and economic differences;
 - (e) prioritising employment transition opportunities to new or existing industries within those communities;
 - (f) offering appropriate education and training opportunities for those communities;
 - (g) allowing reasonable time for the implementation of transition solutions for those communities;
 - (h) for a worker who is unable to pursue transition opportunities – the provision of a mechanism for compensated redundancy or voluntary redeployment of the worker to another site where the worker wishes to continue working, without undermining the incentives for transition;
 - (i) maximising economic co-benefits for regional development in Tasmania.
- (2) The accountable authority of a Tasmanian Government entity must apply fair employment transition principles when making or implementing any decision, policy, program or process in response to climate change that may affect employment in an industry or a geographic region.
 - (3) A Tasmanian Government entity's annual report for a reporting period must include information about how the entity applied the fair employment transition principles contained in the Act in the performance of the entity's functions, duties or powers for the period that the accountable authority of the entity considers are material.

4B. Joint Standing Committee on Climate Change

- (1) The Joint Standing Committee on Climate Change is established.
- (2) The Joint Committee consists of 6 Members of Parliament of whom –
 - (a) 3 are to be Members of the Legislative Council; and
 - (b) 3 are to be Members of the House of Assembly.
- (3) Of the members of the Joint Committee referred to in subsection (2)(b), at least one member of any political party that has 2 or more members in the House of Assembly is to be a member of the Joint Committee.
- (4) The Joint Committee is to be appointed at the commencement of the first session of each Parliament according to the practice regulating the appointment of Members of Parliament to serve on select committees of the Legislative Council and House of Assembly respectively.

4C. Functions of Joint Standing Committee

The functions of the Joint Standing Committee are as follows:

- (a) to have an ongoing role in monitoring, evaluating and reviewing the performance of the Government against the objects of the Act;
- (b) to review the various reports produced under the Act when they are presented to Parliament and provide public reports;
- (c) to evaluate progress against targets with a view to the maintenance of net zero greenhouse gas emissions;
- (d) to review and report on appropriate independent oversight options for the Act within 2 years;
- (e) to provide guidance and advice relating to the objects of the Act;
- (f) to examine the annual report of a State Service Agency to ensure compliance with the objects and principles set out in this Act;
- (g) to report to Parliament on matters related to the Act.

4D. Vacancies on Joint Standing Committee

- (1) A member of the Committee may resign his or her office as a member by writing addressed to the Governor.
- (2) The office of a member of the Committee becomes vacant for any reason that would vacate his or her seat as a member of the Legislative Council or House of Assembly, as the case may be.
- (3) Where a vacancy occurs in the office of a member of the Committee, it is to be filled by appointment as provided in section 4B within the next 10 sitting-days of the House of Parliament by which the member was appointed as a member of the Committee.
- (4) If a vacancy occurs when Parliament is not in session, the Governor may appoint a Member of the House of Parliament to temporarily fill the vacancy until it is filled as provided in section 4B of this Act.

4E. Proceedings of the Joint Standing Committee

- (1) Any 3 members of the Committee form a quorum competent to exercise all powers and authorities, and to incur all obligations conferred or imposed by this Act upon the Committee, but any reports and recommendations to Parliament must be approved by a majority of the whole Committee.

- (2) There is to be a Chair and Vice-Chair of the Committee, who are to be elected by the members of the Committee at the first meeting, or as soon thereafter as is practicable.
- (3) The Chair, or, in the case of their absence or other disability, the Vice-Chair, is to preside at all meetings of the Committee at which they are present.
- (4) At a meeting of the Committee at which a quorum is present, the members in attendance may, in the absence of the Chair and Vice-Chair, appoint one of their number then present to be temporary Chair, and the temporary Chair has, during the absence of the Chair and Vice-Chair, all the powers of the Chair.
- (5) At meetings of the Committee –
 - (a) the Chair or, in their absence, the Vice-Chair, has a deliberative vote only; and
 - (b) when the votes on a question are equal the question passes in the negative.
- (6) Where a division is called for on any question, the names of the members voting are to be stated in the minutes and in the report of the Committee.
- (7) The Committee is to cause minutes of its proceedings to be kept.
- (8) The Committee may sit and transact business during any adjournment or recess, and may sit at such times and in such places, and conduct its proceedings in such manner, as it thinks proper.
- (9) The Committee, when taking evidence, is to sit with open doors.

4F. Secretary of the Joint Standing Committee

- (1) The Governor, on the joint recommendation of the President of the Legislative Council and the Speaker of the House of Assembly, is to appoint an officer of one of the Houses of Parliament to be the secretary of the Committee.
- (2) Despite subsection (1) of section 21 of the *Acts Interpretation Act 1931*, in the event of the sickness or absence of the secretary, or their inability to act, the President of the Legislative Council and the Speaker of the House of Assembly may jointly select one of the officers of the Houses of Parliament to act in the place of the secretary for such period or until such date as the President and Speaker may jointly determine, and while so acting that officer, for all purposes, is to be regarded as the secretary.
- (3) The secretary is to perform all duties required of them by the Committee as its secretary, and may be paid such remuneration as the Governor may approve.

4G. Report to Parliament

- (1) By 30 November in each year the Joint Standing Committee is to make a report of its proceedings under this Act and cause a copy of the report to be laid before both Houses of Parliament.
- (2) If the Joint Committee is unable to comply with subsection (1) because a House of Parliament is not sitting on 30 November in any year, the Joint Committee is to, on or before that day, provide a copy of the report to the Clerk of the Legislative Council and the Clerk of the House of Assembly.
- (3) Upon presentation to the Clerk of the Legislative Council and the Clerk of the House of Assembly the report is taken to have been laid before each House of Parliament and ordered to be printed.
- (4) The Clerk of the Legislative Council and the Clerk of the House of Assembly are to cause a copy of the report to be laid before each House of Parliament within the first 3 sitting-days after receipt of the report.

4H. Establishment of Climate Change Advisory Council

- (1) The Climate Change Advisory Council is established.
- (2) The Council is to consist of at least 5 and up to 7 members, including –
 - (a) at least one member appointed by the Minister after consultation with the peak body representing trade unions; and
 - (b) at least one member appointed by the Minister after consultation with the people or bodies that the Minister considers represent the interests of relevant industries; and
 - (c) at least one member with relevant scientific expertise; and
 - (d) at least one member appointed by the Minister after consultation with the peak body representing local government.
- (3) The areas of expertise of members of the Council are to cover as many of the following as possible:
 - (a) environment and climate change policy;
 - (b) technology development;
 - (c) economic analysis and forecasting;
 - (d) regional development;
 - (e) environmental determinants of health;
 - (f) civil society.

- (4) Members are appointed by the Minister.
- (5) Any appointment to the Council must be approved by the Joint Standing Committee.
- (6) The Council must not include more than one State Service employee.

4I. Functions of Council

- (1) The Council has the following functions:
 - (a) to advise the Minister on matters relating to –
 - (i) the preparation of the climate change action plan;
 - (ii) the preparation of state-wide climate change-risk assessments;
 - (iii) the preparation of sector-based emission reduction and resilience plans;
 - (iv) the setting of targets to reduce emissions;
 - (b) within 18 months of the commencement of the Bill, inquire into and report to the Minister on the establishment of a Transition Authority;
 - (c) to the inquire into and report to the Minister on matters referred to the Council by the Minister in relation to matters relating to the Act.

4J. Membership of Council

- (1) A member holds office on such conditions in respect of matters not provided for by this Act as are specified in the member's instrument of appointment.
- (2) An appointment must not be for a period exceeding 5 years.
- (3) A member who is appointed for 2 consecutive terms is not eligible for reappointment.
- (4) The appointed members of the Council must elect a Chair of the Council, and a Deputy Chair of the Council.
- (5) The Chair and the Deputy Chair must be elected for periods of not longer than 2 years.
- (6) The Chair must be independent and must not be a State Service employee.
- (7) A member vacates office if the member –
 - (a) dies; or

- (b) resigns by notice given to the Minister; or
 - (c) is removed from office under subsection (8).
- (8) The Minister may terminate the appointment of a member if the member –
- (a) is absent from 3 consecutive meetings of the Council without the permission of the Council; or
 - (b) fails to disclose a pecuniary interest under section 4K; or
 - (c) is convicted, in Tasmania or elsewhere, of an offence punishable by imprisonment for 2 years or longer.
- (9) An act or proceeding of the Council is not invalid by reason only that at the time when the act or proceeding was done, taken or commenced there was a vacancy in the membership of the Council.
- (10) All acts and proceedings of the Council or of a person acting under a direction of the Council are, despite the subsequent discovery of a defect in the appointment of a member or that any person was disqualified from acting as, or incapable of being, a member, as valid as if the member had been duly appointed and was qualified to act as, or capable of being, a member, and as if the Council had been fully constituted.

4K. Disclosure of Interests

- (1) If a member of the Council has a material interest in an issue being considered, or about to be considered, by the Council, the member must disclose the nature of the interest at a Council meeting as soon as practicable after the relevant facts come to the member's knowledge.
- (2) A disclosure must be recorded in the Council's minutes and, unless the Council otherwise decides, the member must not –
 - (a) be present when the Council considers the issue; or
 - (b) take part in a decision of the Council on the issue.
- (3) Any other Council member who also has a material interest in the issue must not be present when the Council is considering its decision under subsection (2).

4L. Meetings of Council

- (1) The Chair, with reasonable notice –
 - (a) may call the meetings of the Council that the Chair considers necessary for the efficient exercise of its functions; and

- (b) must, at the request of 3 other members of the Council, call a meeting of the Council.
- (2) For the purposes of subsection (1), what constitutes reasonable notice is to be determined by the Council.
- (3) The Council must hold not less than 4 meetings in each financial year.
- (4) The Minister may call a meeting of the Council by written notice given to each of the members.

4M. Procedure at meetings

- (1) The Chair presides at all meetings of the Council at which they are present.
- (2) If the Chair is absent, the Deputy Chair presides.
- (3) If the Chair and the Deputy Chair are absent, the member chosen by the members present presides.
- (4) At a meeting of the Council, a quorum is constituted by a majority of the total number of members appointed.
- (5) Any duly convened meeting of the Council at which a quorum is present is competent to transact any business of the Council.
- (6) At a meeting of the Council each appointed member has a vote on each question to be decided.
- (7) A question is decided by a majority of the votes of the appointed members present and voting.
- (8) The Council must keep accurate minutes of its proceedings.
- (9) Questions arising at a meeting of the Council are to be determined by a majority of votes of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is determined in the negative.

Question put – That new Clause A be read the Second time and made part of the Bill to follow Clause 5;

The Committee divided.

AYES 12

Dr Broad
Ms Butler
Ms Dow
Ms Finlay
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff
Ms Haddad (Teller)

NOES 12

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Young
Mr Wood (Teller)

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: 'The numbers being equal, in accordance with Standing Order 257 I cast my vote with the Noes.'

So it passed in the Negative.

New Clause B was brought up by *Dr Woodruff* and read a First Time as follows:-

New Clause B

B. Section 4A inserted

The following section is inserted after section 4 of the Principal Act:

4A. Guiding principles to be furthered

- (1) It is the obligation of any person on whom a function is imposed or a power is conferred under this Act to perform the function or exercise the power in such a manner as to further the guiding principles to inform climate action.
- (2) The Government of Tasmania will incorporate climate change considerations across decision making and in the development and implementation of any policy, program or process if it is relevant by having regard to the objects of this Act, and the guiding principles to inform climate action.”

Question put – That new Clause B be read the Second time and made part of the Bill to follow Clause 5;

The Committee divided.

AYES 12

NOES 12

Dr Broad
Ms Butler
Ms Dow
Ms Finlay
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff
Ms Haddad (Teller)

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Young
Mr Wood (Teller)

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: 'The numbers being equal, in accordance with Standing Order 257 I cast my vote with the Noes.'

So it passed in the Negative.

New Clause C was brought up by *Dr Woodruff* and read a First Time as follows:-

New Clause C

C. Parts 1A and 1B inserted

The following Parts are inserted after Part 1 of the Principal Act:

PART 1A – CLIMATE CHANGE COMMITTEE

A. Constitution of Climate Change Committee

- (1) The Joint Standing Committee on Climate Change is established.
- (2) The Committee shall be appointed at the commencement of the first session of each Parliament according to the practice regulating the appointment of members to serve on select committees of the Legislative Council and House of Assembly respectively.
- (3) The Committee shall consist of six members, of whom –
 - (a) 3 are to be members of the Legislative Council; and
 - (b) 3 are to be members of the House of Assembly.

B. Functions of Committee

- (1) The Committee has the following functions –

- (a) to inquire into, consider and report to the Parliament on any matter referred to the Committee by either House relating to climate change; and
- (b) to inquire into, consider and report to the Parliament on any matter arising in connection with climate change that the Committee considers appropriate; and
- (c) any other functions the Committee has under this, or any other Act; and
- (d) any other functions that may be prescribed.

C. Vacancies

- (1) A member of the Committee may resign their office as a member by writing under their hand addressed to the Governor.
- (2) The office of a member of the Committee becomes vacant for any reason that would vacate their seat as a member of the Legislative Council or House of Assembly, as the case may be.
- (3) Where a vacancy occurs in the office of a member of the Committee, it shall be filled by appointment as provided in section A of this Act within the next ten sitting days of the House of Parliament by which they were appointed as a member of the Committee.
- (4) If a vacancy occurs when Parliament is not in session, the Governor may appoint a Member of the House of Parliament to temporarily fill the vacancy until it is filled as provided in section A(2) of this Act.

D. Proceedings of Joint Committee

There shall be a chairperson and vice-chairperson of the Committee, who shall be elected by the members of the Committee at the first meeting of the Committee or as soon thereafter as is practicable.

E. Secretary of Committee

- (1) The President of the Legislative Council and the Speaker of the House of Assembly jointly are to appoint an officer of one of the Houses of Parliament to be the secretary of the Committee.
- (2) Notwithstanding section 21 of the Acts Interpretation Act 1931, in the event of the sickness or absence of the secretary, or their inability to act, the President of the Legislative Council and the Speaker of the House of Assembly may jointly select one of the officers of the Houses of Parliament to act in the place of the secretary for such period or until such date as the President and Speaker may jointly determine, and while so acting that officer shall, for all purposes, be regarded as the secretary.

F. Membership of Committee not an office of profit

The office of a member of the Committee is not an office of profit or emolument within the meaning of the Constitution Act 1934 and the acceptance and holding of such an office does not –

- (a) render the holder of the office incapable of sitting or voting as a member of either House of Parliament; or
- (b) make void the election of the holder of the office as a member of either House of Parliament.

PART 1B –CLIMATE CHANGE COMMISSION

Division 1 – Climate Change Commission

G. Establishment of Climate Change Commission

- (1) The Climate Change Commission is established.
- (2) The Climate Change Commission includes the Board, any member of the Board, the Commissioner, and the staff of the Climate Change Commission.
- (3) The Commission –
 - (a) is a body corporate with perpetual succession; and
 - (b) may have a seal; and
 - (c) may sue and be sued in its corporate name; and
 - (d) is an instrumentality of the Crown.
- (4) If the Commission has a seal –
 - (a) it is to be kept and used as authorised by the Commission; and
 - (b) all courts and persons acting judicially must take judicial notice of the imprint of the seal on a document and presume that it was duly sealed by the Commission.

H. Objectives and Functions of Commission

- (1) The main objectives of the Commission are to contribute to –
 - (a) the reduction of greenhouse gas emissions in Tasmania; and

- (b) protecting and increasing Tasmania's carbon stores; and
 - (c) the development and implementation of climate adaptation measures.
- (2) The Commission has the following functions –
 - (a) to provide advice and promote actions to contribute to climate mitigation and adaptation across government, industry, the community sector and households; and
 - (b) to develop materials, programs and partnerships to encourage contributions to climate mitigation and adaptation; and
 - (c) to commission, conduct and publish research relating to climate projects and the impact of the climate emergency; and
 - (d) to encourage public participation in climate change advocacy and promote the right of peaceful protest; and
 - (e) to advance the objectives of this Act and of the Commission generally; and
 - (f) any other functions the Commission has under this, or any other Act; and
 - (g) any other functions that may be prescribed.
- (3) In the performance of its functions, the Commission is to have constant regard to the objectives set out in this section and is to act in a way that best meets and advances those objectives.

I. Powers of Commission

- (1) The Commission has the power to do –
 - (a) all things necessary or convenient to be done in connection with the performance of its functions; and
 - (b) all other things that it is authorised to do by this or any other Act.
- (2) Without limiting subsection (1), the Commission has the power to –
 - (a) acquire, hold, dispose of and otherwise deal with property; and
 - (b) enter into contracts; and

- (c) control access to, and the uses to be made of, any material, or assets, owned or developed by the Authority.
- (3) In the exercise of its powers, the Commission is to have constant regard to the objectives and functions of the Commission and is to act in a way that best meets and advances those objectives and functions.

J. Independence of Commission

The Commission is not subject to the direction or control of the Minister in respect of the performance or exercise of its functions or powers.

Division 2 – Board and Staff of Commission

K. Board of Commission

- (1) The Board of the Climate Change Commission is established.
- (2) The members of the Board are –
 - (a) the chair; and
 - (b) not less than 5, and not more than 7, other persons.
- (3) The chair and members of the Board referred to in subsection (2) are appointed by the Governor on the recommendation of the Minister.
- (4) In making a recommendation under subsection (3), the Minister is to ensure that the Board and chair collectively has 3 members with expertise in climate science.
- (5) In making a recommendation under subsection (3), the Minister is to ensure that the Board and chair collectively has experience in most or all of the following areas –
 - (a) legal practice;
 - (b) local government and planning;
 - (c) public communication;
 - (d) public policy;
 - (e) emergency response;

(f) environmental regulation.

(5) Before the Minister makes a recommendation under subsection (3) the Minister must consult the Climate Change Committee.

(6) If the members of the Committee have not been appointed or Parliament has been prorogued, the Minister is to consult –

(a) the President of the Legislative Council; and

(b) the Parliamentary leader of each political party represented in the House of Assembly.

L. Role and powers of Board

(1) The role of the Board is to –

(a) provide guidance to facilitate the functions and powers of the Commission, under this or any other Act, being performed and exercised by the Commissioner and staff of the Commission in accordance with sound public administration practice and principles of procedural fairness and the objectives of this Part; and

(b) monitor and report to the Minister or Committee, or both the Minister and Committee, on the operation and effectiveness of this Part and other legislation relevant to the functions and objectives of the Commission.

(2) The Board has the power to do all things necessary or convenient to be done in connection with the performance and exercise of its responsibilities and powers under this or any other Act.

M. Board membership

(1) A member is appointed for the period, not exceeding 3 years, as is specified in the member's instrument of appointment and, if eligible, may be reappointed.

(2) A member may serve any number of terms but not more than 3 terms, of whatever duration, in succession.

(3) The holder of an office who is required by the terms of his or her employment to devote the whole of his or her time to the duties of that office is not disqualified from –

(a) holding that office and also the office of a member; or

- (b) accepting any remuneration payable to a member.
- (4) A person may not hold the office of member in conjunction with State Service employment.
- (5) A member is entitled to be paid such remuneration and allowances as the Minister determines.
- (6) A member holds office on such conditions in respect of matters not provided for by this Act as are specified in the member's instrument of appointment.
- (7) A member vacates office if they –
 - (a) die; or
 - (b) resign by notice given to the Minister; or
 - (c) are removed from office under subsection (8) or (9).
- (8) The Minister may recommend to the Governor that a member be removed from office if the member –
 - (a) is absent from 3 consecutive meetings of the Board without the permission of the chairperson; or
 - (b) is convicted, in Tasmania or elsewhere, of a crime or an indictable offence; or
 - (c) fails to disclose a pecuniary interest as required under section N(11) of this Act; or
 - (d) has benefited from, or claimed to be entitled to benefit from, a contract made by or on behalf of the Board, other than a contract for a good or service ordinarily supplied by the Board and supplied on the same terms as that good or service is ordinarily supplied to other persons in the same situation.
- (9) The Minister may recommend to the Governor that a member be removed from office if the Minister is satisfied that the member is unable to perform adequately or competently the duties of office.
- (10) A member must not be removed otherwise than in accordance with this section.
- (11) If the office of a member becomes vacant, the Minister may appoint a person to the vacant office for the remainder of that member's term of office.
- (12) An act or proceeding of the Board or of a person acting under any direction of the Board is not invalidated by reason only that at the time when the act or proceeding was done, taken or commenced there was a vacancy in the office of a member.

- (13) All acts and proceedings of the Board or of a person acting under a direction of the Board are, despite the subsequent discovery of a defect in the appointment of a member or that any other person was disqualified from acting as, or incapable of being, a member, as valid as if the member had been duly appointed and was qualified to act as, or capable of being, a member, and as if the Board had been fully constituted.

N. Meetings of the Board

- (1) The chairperson, after giving each member reasonable notice of a meeting –
- (a) may convene a meeting at any time; and
 - (b) must convene a meeting when requested to do so by 3 or more other members.
- (2) If the chairperson is absent from duty or otherwise unable to perform the duties of the office, a meeting may be convened, after reasonable notice of the meeting has been given of the meeting, by –
- (a) 3 or more other members; or
 - (b) a person authorised by the Board to do so.
- (3) For the purposes of subsections (1) and (2), what constitutes reasonable notice is to be determined by the Board.
- (4) The chairperson is to preside at all meetings of the Board at which they are present.
- (5) If the chairperson is not present at a meeting of the Board, a member elected by the members present at the meeting is to preside.
- (6) At a meeting of the Board, a quorum is constituted by a majority of the total number of members appointed.
- (7) A meeting of the Board at which a quorum is present is competent to transact any business of the Board.
- (8) At a meeting of the Board –
- (a) the member presiding has a deliberative vote only; and
 - (b) a question is decided –
 - (i) by a majority of votes of the members present and voting; or
 - (ii) in the negative if there is an equality of votes of the members present and voting.

- (9) At a meeting of the Board where a member is excluded from being present and taking part in the consideration and decision of the Board in respect of a matter, a quorum for the purposes of considering and making a decision in respect of that matter is constituted by the number of members specified as constituting a quorum in subsection (6) less the number of members so excluded.
- (10) The Board is to keep accurate minutes of its meetings.
- (11) If a member has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the Board, the member must, as soon as practicable after the relevant facts come to the member's knowledge, disclose the nature of the interest to the Board.
Penalty: Fine not exceeding 50 penalty units or imprisonment for a term not exceeding one month, or both.
- (11) Unless the Board otherwise determines, a member who has made a disclosure under subsection (11) in respect of a matter must not –
 - (a) be present during any deliberation of the Board in respect of the matter; or
 - (b) take part in any decision of the Board in respect of the matter.
- (12) For the purpose of making a determination under subsection (12), the member to whom the determination is to relate must not –
 - (a) be present during any deliberation of the Board for the purpose of making the determination; or
 - (b) take part in making the determination.

O. Appointment of Commissioner

- (1) The Governor, on the recommendation of the Minister, is to appoint a person as the Climate Change Commissioner.
- (2) The Climate Change Commissioner is the chief executive officer of the Commission, and is responsible to the Board for the general administration, management and operations of the Commission.
- (3) The Minister must consult with the Climate Change Committee, the President of the Legislative Council and the Speaker of the House of Assembly before making a recommendation under subsection (1).

P. Deputy Commissioner

- (1) Subject to and in accordance with the State Service Act 2000, a person is to be appointed or employed as Deputy Commissioner.

- (2) The Deputy Commissioner is to perform such functions as the Commissioner directs.
- (3) The Deputy Commissioner is to act as Commissioner during any illness, suspension or absence of the Commissioner, and during any vacancy in that office.
- (4) While acting as Commissioner, the Deputy Commissioner –
 - (a) has the same immunities and independence as the Commissioner; and
 - (b) is to receive a salary at the same rate as that payable to the Commissioner; and
 - (c) is to exercise the powers and perform the functions of the Commissioner under this or any other Act; and
 - (d) is taken to be the Commissioner in the exercise of powers and performance of functions of the Commissioner, and any act done towards this purpose has the same effect as if it were done by the Commissioner.

Q. Staff

Subject to and in accordance with the State Service Act 2000, persons may be appointed or employed for the purposes of this Part.

Division 3 – Functions and Powers of Commissioner

R. Functions of Commissioner

- (1) The Commissioner has the following functions –
 - (a) to be a public advocate for climate action; and
 - (b) assess, evaluate and publicly comment on government climate policy; and
 - (c) report publicly on matters relevant to climate change and the objectives of the Commission more generally; and
 - (d) to advise and comment on government compliance with this Act, and any other Act relevant to climate change; and
 - (e) to advocate for policy and legislative reform to improve climate mitigation and adaptation outcomes; and
 - (f) to advance the objectives of this Act and the Commission generally; and
 - (g) any other functions the Commissioner has under this, or any other Act; and

- (h) any other functions that may be prescribed.
- (4) In the performance of their functions, the Commissioner is to have constant regard to the objects of this Act and is to act in a way that best meets and advances those objects.

S. Powers of Commissioner

The Commissioner has the power to do –

- (a) all things necessary or convenient to be done in connection with the performance of their functions; and
- (b) all other things that it is authorised to do by this or any other Act.

T. Power to gather information

- (1) If necessary or convenient for the performance of a function, the exercise of a power, or the advancing of the Commission's objectives, the Commissioner may request an entity to provide information to the Commission, if the information requested is reasonable.
- (2) Without limiting the generality of subsection (1), information includes –
 - (a) records in the format, or manner, specified by the Commissioner; and
 - (b) answers to questions whether orally or in writing; and
 - (c) production of documents as specified in the requirement.
- (3) Without limiting the generality of subsection (1), an entity includes –
 - (a) A State Service Agency; and
 - (b) A Council; and
 - (c) A corporation.
- (4) Without limiting the generality of subsection (1) or (2), the type of information requested may relate to –
 - (a) greenhouse gas emissions; or
 - (b) greenhouse gas emissions mitigation activities; or
 - (c) climate adaptation activities.
- (5) In making a request under this section, the Commissioner –

- (a) is to provide a reasonable timeframe for an entity to provide information; and
 - (b) may vary the timeframe requested under paragraph (a) on application of an entity of which a request has been made under subsection (1).
- (6) A person must provide information requested under this section within the timeframes requested.

 Penalty: Fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.
- (7) In addition to any penalty imposed on a person under subsection (6), a court may make an order requiring the person to provide information, answer questions, or produce documents, to the Commissioner in accordance with the order.
- (8) A person complying with a requirement of the Commissioner or the court under this section cannot, by virtue of complying with that requirement –
 - (a) be held to have breached any code of professional etiquette or ethics; or
 - (b) be taken to have departed from acceptable standards of professional conduct; or
 - (c) be taken to have contravened any confidentiality requirements of any Act.

U. Annual report

- (1) The Commissioner, on or before 30 November or such other date as may be prescribed, is to lay before each House of Parliament a report on the performance of its functions and exercise of its powers under this Act during the period of 12 months ending on the last preceding 30 June.
- (2) The report under subsection (1) may be combined with the report under section 36 of the State Service Act 2000.
- (3) If the Commissioner is unable to comply with subsection (1) for any reason other than that a House of Parliament is not sitting, the Commissioner must cause to be laid before each House of Parliament a statement specifying –
 - (a) the reasons for the failure to comply with that subsection; and
 - (b) an estimate of the day by which a copy of the annual report will be ready to be laid before each House of Parliament.

- (4) If the Commissioner is unable to comply with subsection (1) because a House of Parliament is not sitting, the Commissioner must –
 - (a) forward a copy of the annual report to the Clerk of that House; and
 - (b) within the next 7 sitting-days of that House, cause a copy of the annual report to be laid before that House.

V. Other reports

- (1) The Commissioner may, at any time, prepare a report on –
 - (a) any investigation, review or research conducted in the performance of the Commissioner's functions; or
 - (b) any other matter arising in the performance of those functions; or
 - (c) any other matter or issue for the purposes of advancing the objectives of the Commission or Commissioner.
- (2) A report under subsection (1) may include recommendations relating to –
 - (a) changes to written law, draft law, policy, practice or procedure; or
 - (b) changes of practice for individuals, government, a corporation or corporations, or any other entity;
 - (c) any other matter to Commissioner considers desirable to advance the objectives or fulfil the functions of the Commission or Commissioner.
- (3) The Minister or Committee may request that the Commissioner prepares a report under subsection (1) on a matter relevant to the Commission's functions.
- (4) The Commissioner may accept or reject a request under subsection (3), or may report on different matters related or somewhat related to the request under subsection (3).
- (5) The Commissioner must provide the Minister with a copy of the report under subsection (1) within 7 days after the report is finalised.
- (6) The Commissioner may cause a copy of a report under subsection (1) to be laid before each House of Parliament no sooner than 7 sitting-days after a copy of the report has been given to the Minister in accordance with subsection (5).

- (7) The Commissioner, after providing a copy of a report to the Minister in accordance with subsection (5), may publish or distribute a report in any manner the Commissioner sees fit.

Division 5 – Miscellaneous

W. Delegation of powers and functions

The Commissioner may delegate any of their functions and powers under this Act, other than this power of delegation.

X. Obstruction

A person must not obstruct, or hinder, a person who is performing a function, or exercising a power, under this Part.

Penalty: Fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.

Y. False reporting

A person must not, in providing any information or answering any question under this Part –

- (a) make a statement knowing it to be false or misleading; or
- (b) omit any matter from a statement knowing that without that matter the statement is false or misleading.

Penalty: Fine not exceeding 20 penalty units.

Z. General duty of confidentiality

- (1) The Commissioner, or any other person performing a function or exercising a power under this Part, has a general duty of confidentiality in relation to information gathered under section T, or any other provision, of this Act.
- (2) Subsection (1) notwithstanding, the Commissioner or any other person performing a function or exercising a power under this Part, must publish information as this Part requires.
- (3) Subsection (1) notwithstanding, the Commissioner or any other person performing a function or exercising a power under this Part, may publish information if –
 - (a) Publishing the information would be advancing an objective or fulfilling a function under this Part; and

- (b) they are of the reasonably held view that the public benefit of publishing the information outweighs any potential detrimental impacts on the entities or individuals to which the information relates, was obtained from, or whom may otherwise be detrimentally effected.

ZA. Protection from liability

- (1) The Commissioner or any other person performing a function or exercising a power under this Part does not incur any personal liability, civil or criminal, in respect of any act done or omitted to be done in good faith in the performance or exercise, or purported performance or exercise, of that function or power.
- (2) No civil or criminal proceedings are to be brought against the Commissioner or any other person performing a function or exercising a power under this Part, in respect of an act or omission referred to in subsection (1) without the leave of the Supreme Court, and the Supreme Court is not to give leave under this section unless it is satisfied that there is substantial ground for the contention that the person to be proceeded against has acted, or omitted to act, in bad faith.

Question put – That new Clause C be read the Second time and made part of the Bill to follow Clause 5;

The Committee divided.

AYES 12

Dr Broad
Ms Butler
Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms White
Dr Woodruff
Mr Winter (Teller)

NOES 12

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Young
Mr Wood (Teller)

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: 'The numbers being equal, in accordance with Standing Order 257 I cast my vote with the Noes.'

So it passed in the Negative.

Clause 6 read.

Amendment proposed (Ms *White*)

Page 8, proposed new division 1, section 5, subsection (1).

Leave out “30 June 2030”.

Insert instead “31 December 2023”.

Mrs *Alexander* took the Chair.

Proposed Amendment to Clause 6 further considered.

Question put - That the Amendment be agreed to;

The Committee divided.

AYES 12

NOES 12

Dr *Broad*

Ms *Archer*

Ms *Butler*

Mr *Barnett*

Ms *Dow*

Mr *Ellis*

Ms *Finlay*

Mr *Ferguson*

Ms *Haddad*

Mr *Jaensch*

Ms *Johnston*

Ms *Ogilvie*

Mr *O'Byrne*

Mr *Rockliff*

Ms *O'Byrne*

Mr *Shelton*

Ms *O'Connor*

Mr *Street*

Ms *White*

Mr *Tucker*

Mr *Winter*

Mr *Young*

Dr *Woodruff* (Teller)

Mr *Wood* (Teller)

DEPUTY CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Deputy Chair of Committees said: 'The numbers being equal, in accordance with Standing Order 257 I cast my vote with the Noes.'

So it passed in the Negative.

Clause 6, as read, further considered.

Amendment proposed (Dr *Woodruff*)

Page 8, proposed new division 1, section 5.

Leave out the section.

Insert instead the following section:

“5. Tasmania’s emissions reduction targets

(1) Tasmania’s emissions reduction targets under this Act are:

- (a) to achieve net zero greenhouse gas emissions, or lower, in Tasmania from 30 June 2023;
 - (b) an absolute emissions reduction target declared under subsection (4)(a);
 - (c) a sectoral absolute emissions reduction target for each sector, declared under subsection (4)(b), for which a sector-based emissions reduction and resilience plan is required to be prepared under section 5C(1) of this Act.
- (2) For the purposes of subsection (1)(a), ***net zero greenhouse gas emissions*** means a balance between the amount of anthropogenic emissions into the atmosphere and the amount of anthropogenic removals from the atmosphere in each year.
- (3) For the purposes of subsection (1)(b) and (c), ***absolute emissions*** means a the amount of anthropogenic emissions into the atmosphere in each year only, and does not include the amount of anthropogenic removals from the atmosphere in each year.
- (4) The Minister must declare, by order –
 - (a) an absolute emissions reduction target for the purposes of subsection (1)(b); and
 - (b) sectoral absolute emissions reduction targets under subsection (1)(c) –

within 12 months of the day on which this Act receives the Royal Assent, as well as within 12 months of the conclusion of a period to which the target relates.
- (5) If an emissions reduction target, or targets, under this Act is not met, the Minister must, as soon as is practicable, present to Parliament a report setting out –
 - (a) why the target, or targets, were not met; and
 - (b) what action will be taken to meet any subsequent target, including how the action will differ from any action that was taken for the target that was not met.”

Question put - That the Amendment be agreed to;

The Committee divided.

AYES 3

NOES 21

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Tucker
Ms White
Mr Winter
Mr Young
Mr Wood (Teller)

So it passed in in the Negative.

Clause 6, as read, further considered.

Amendment made (Ms White)

Page 8, proposed new section 5A, subsection (1).

Leave out “at least every 5 years”.

Insert instead “within 2 years after the commencement of this Act and at least every 5 years thereafter”.

Clause 6, as amended, further considered.

Amendment proposed (Dr Woodruff)

Page 8, proposed new division 1, section 5A, subsection (1).

Leave out the subsection.

Insert instead the following subsection:

- (1) The Minister must prepare a climate change action plan at least every 3 years.

Question put – That the Amendment be agreed to;

The Committee divided.

AYES 3

Ms Johnston
Ms O'Connor
Dr Woodruff (Teller)

NOES 21

Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Tucker
Ms White
Mr Winter
Mr Young
Mr Wood (Teller)

So it passed in in the Negative.

Clause 6, as amended, further considered.

Amendment proposed (*Dr Woodruff*)

Page 8, proposed new division 1, section 5A, after subsection (1).

Insert the following new subsections –

- (A) Subsection (1) notwithstanding, the Minister must prepare the first climate change action plan within 12 months of the day on which this Act receives the Royal Assent.
- (B) Before preparing a climate change action plan under subsection (1) or (A), the Minister must cause a draft climate change action plan to be published online and call for public comment.

Amendment to the Amendment proposed (The Minister for the Environment and Climate Change)

(1) In paragraph A *to leave out* “must” and *insert instead* “is to”; and

(2) In paragraph B *to leave out* “must” and *insert instead* “is to”.

Question put – That the Amendment to the Amendment be agreed to;

It was resolved in the Affirmative.

Question put – that the Amendment, as amended, be agreed to;

It was resolved in the Affirmative.

Clause 6, as amended, further considered.

Amendment proposed (Ms *White*)

Page 9, proposed new section 5A, subsection (2) after, “adopt”.

Insert “, and numerical estimates of the emissions reductions the climate change action plan will bring about”.

The Chair of Committees resumed the Chair.

Question put – That the Amendment be agreed to;

It passed in the Negative.

Clause 6, as amended, further considered.

Amendment made (Dr *Woodruff*)

Page 8, clause 6, proposed new division 1, section 5A, subsection (3).

Leave out “climate action plan”.

Insert instead “climate change action plan”

Clause 6, as amended, further considered.

Amendment proposed (Dr *Woodruff*)

Page 9, proposed new division 1, section 5A, subsection (4).

Leave out “is to”.

Insert instead “must”.

Question put – That the Amendment be agreed to;

It passed in the Negative.

Clause 6, as amended, further considered.

Amendment made (Ms *White*)

Page 10, proposed new section 5A, subsection (4), paragraph (e), after “bodies,”.

Insert “children and young people,”.

Clause 6, as amended, further considered.

Amendment proposed (Ms *White*)

Page 10, proposed new section 5A, subsection (4), paragraph (e), after “government”.

Insert “, relevant unions”.

Question put – That the Amendment be agreed to;

The Committee divided.

AYES 12

Ms Butler
Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Mr O’Byrne
Ms O’Byrne
Ms O’Connor
Ms White
Mr Winter
Dr Woodruff
Dr Broad (Teller)

NOES 12

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Young
Mr Wood (Teller)

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: 'The numbers being equal, in accordance with Standing Order 257 I cast my vote with the Noes.'

So it passed in the Negative.

Clause 6, as amended, further considered.

Amendment proposed (Dr *Woodruff*)

Page 9, proposed new division 1, section 5A, subsection (4), paragraph (e).

Leave out “and the Tasmanian community”

Insert instead “, Tasmanian Aboriginal people, children and young people, and the Tasmanian community more broadly”.

Question put – That the Amendment be agreed to;

The Committee divided.

AYES 12

Dr Broad
Ms Butler
Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff
Mr O'Byrne (Teller)

NOES 12

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Young
Mr Wood (Teller)

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: 'The numbers being equal, in accordance with Standing Order 257 I cast my vote with the Noes.'

So it passed in the Negative.

Clause 6, as amended, further considered.

Amendment proposed (*Dr Woodruff*)

Page 10, proposed new division 1, section 5A, subsections (5) and (6).

Leave out the subsections.

Insert instead the following subsection:

- (5) As soon as practicable after preparing a climate change action plan, the Minister must cause the climate change action plan to be –
 - (a) published in such formats as the Minister considers appropriate to ensure easy accessibility to a wide range of audiences, including children and young people; and
 - (b) tabled in each House of Parliament.

Question put – That the Amendment be agreed to;

The Committee divided.

AYES 12

NOES 12

Dr Broad
Ms Butler
Ms Dow
Ms Finlay
Ms Haddad
Ms Johnston
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms White
Dr Woodruff
Mr Winter (Teller)

Mrs Alexander
Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Young
Mr Wood (Teller)

CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Chair of Committees said: 'The numbers being equal, in accordance with Standing Order 257 I cast my vote with the Noes.'

So it passed in the Negative.

Clause 6, as amended, further considered.

Amendment made (*Ms White*)

Page 11, proposed new section 5B, subsection (1).

Leave out “at least every 5 years”.

Insert instead “within 2 years after the commencement of this Act and at least every 5 years thereafter”.

Clause 6, as amended, further considered.

Amendment proposed (*Dr Woodruff*)

Page 11, proposed new division 1, section 5B, subsection (1).

Leave out the subsection.

Insert instead the following subsection:

“(1) The Minister must prepare a statewide climate change risk assessment at least every 3 years.”

Question put – That the Amendment be agreed to;

It passed in the Negative.

Clause 6, as amended, further considered.

Amendment proposed (*Dr Woodruff*)

Page 11, proposed new division 1, section 5B, after subsection (1).

Insert the following new subsection –

- “(A) Subsection (1) notwithstanding, the Minister must prepare the first climate change risk assessment within 12 months of the day on which this Act receives the Royal Assent.
- (B) Before preparing a climate change risk assessment under subsection (A), the Minister must cause a draft climate change risk assessment to be published online and call for public comment.”

Question put – That the Amendment be agreed to;

The Committee divided.

AYES 3

Ms O'Connor
Dr Woodruff
Ms Johnston (Teller)

NOES 21

Mrs Alexander
Ms Archer
Mr Barnett
Dr Broad
Ms Butler
Ms Dow
Mr Ellis
Mr Ferguson
Ms Finlay
Ms Haddad
Mr Jaensch
Mr O'Byrne
Ms O'Byrne
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Ms White
Mr Winter
Mr Young
Mr Wood (Teller)

So it passed in in the Negative.

Clause 6, as amended, further considered.

Amendment proposed (*Dr Woodruff*)

Page 11, proposed new division 1, section 5B, subsection (2).

Leave out “is to”.

Insert instead “must”.

Question put – That the Amendment be agreed to;

It passed in the Negative.

Clause 6, as amended, further considered.

Amendment made (The Minister for Environment and Climate Change)

Page 11, proposed new section 5B, subsection (2), paragraph (c),
after "change".

Leave out " on future generations;".

Insert instead "on –

- (i) the health and wellbeing of Tasmanians; and
- (ii) future generations;".

Mrs *Alexander* took the Chair.

Clause 6, as amended, further considered

Amendment proposed (Dr *Woodruff*)

Page 11, proposed new division 1, section 5B, subsection (3).

Leave out the subsection.

Insert instead the following subsection:

- “(3) As soon as practicable after preparing a climate change risk assessment, the Minister must cause a copy of the climate change risk assessment to be tabled in each House of Parliament.”

Question put – That the Amendment be agreed to;

The Committee divided.

AYES 12

Dr *Broad*
Ms *Butler*
Ms *Dow*
Ms *Finlay*
Ms *Haddad*
Ms *Johnston*
Mr *O’Byrne*
Ms *O’Byrne*
Ms *O’Connor*
Ms *White*
Mr *Winter*
Dr *Woodruff* (Teller)

NOES 12

Ms *Archer*
Mr *Barnett*
Mr *Ellis*
Mr *Ferguson*
Mr *Jaensch*
Ms *Ogilvie*
Mr *Rockliff*
Mr *Shelton*
Mr *Street*
Mr *Tucker*
Mr *Young*
Mr *Wood* (Teller)

DEPUTY CHAIR OF COMMITTEES GIVES CASTING VOTE. – The Deputy Chair of Committees said: 'The numbers being equal, in accordance with Standing Order 257 I cast my vote with the Noes.'

So it passed in the Negative.

Clause 6, as amended, further considered.

Amendment proposed (Dr *Woodruff*)

Page 11, proposed new division 1, section 5C, subsection (1).

Leave out the subsection

Insert instead the following subsection:

- “(1) The Minister, in consultation with each relevant portfolio Minister, must consult with the community, research organisations, and with business and industry representatives, to develop a sector-based emissions reduction and resilience plan for each of the following sectors:
- (a) energy;
 - (b) transport;
 - (c) industrial processes and product use;
 - (d) agriculture;
 - (e) land-use, land-use change and forestry;
 - (f) waste;
 - (g) any other sector or sub-sector determined by the Minister.”

Question put – That the Amendment be agreed to;

It passed in the Negative.

To report progress and ask leave to sit again.

The House being resumed, Mrs *Alexander* reported that the Committee had made progress in the Bill, and had directed her to ask leave to sit again.

Resolved, That this House will, at a later hour, again resolve itself into the said Committee.

20 ADJOURNMENT. – A Motion being made - That the House do now adjourn (The Minister for Hospitality and Events)

The Speaker proposed – That the House do now adjourn and called for issues to be raised;

The House adjourned at two minutes past Nine o'clock.

SHANE DONNELLY, *Clerk of the House*.

MEMBERS. - All present during the day.

The Minister for Primary Industries and Water, Minister for Disability Services, Minister for Women and Minister for the Prevention of Family Violence attended Question Time.