



LEGISLATIVE COUNCIL

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 12

WEDNESDAY, 28 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) Housing Land Supply Act 2018: Statutory Rules 2022 containing Housing Land Supply (Chigwell) Order 2022.
 - (2) Housing Land Supply Act 2018: Statutory Rules 2022 containing Housing Land Supply (Howrah) Order 2022.
 - (3) Living Marine Resources Management Act 1995: Statutory Rules 2022, No. 67, containing Fisheries (Rock Lobster) Rules 2022.
- 5 BILL NO. 40.**— The Statutory Holidays Amendment Bill 2022 was read the Third time and passed.
- 6 BILL NO. 40.**— 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 the *Statutory Holidays Act 2000* to provide for a statutory holiday for a National Day of Mourning to pay respect for the passing of Her Majesty, Queen Elizabeth II’.
- Legislative Council, 28 September 2022* C.M. FARRELL, *President*
- 7 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 11.03 o'clock a.m. and resumed at 11.41 o'clock a.m.
- 8 BILL NO. 35.**— The Order of the Day was read for the further consideration in Committee of the Homes Tasmania Bill 2022.
- And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clause 11 as amended, further considered and agreed to.

Clauses 12 to 15 agreed to.

Clause 16, Amendment made. (Ms *Webb*)

Page 35, subclause (2), paragraph (a).

Leave out “his or her”.

Insert instead “the director’s”.

Clause as amended, agreed to.

Clause 17 read and considered.

Question put, That Clause 17 be agreed to.

Committee divided.

AYES 11

NOES 3

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

Ms *Ratray* (Teller)
Mr *Valentine*
Ms *Webb*

It was resolved in the Affirmative.

Clause 18 agreed to.

Clause 19, Amendments made. (Ms *Webb*)

First amendment

Page 38, subclause (4).

Leave out “he or she is”.

Second amendment

Page 38, subclause (4).

Leave out “his or her”.

Insert instead “the Homes Tasmania CEO’s”.

Third amendment

Page 38, subclause (5).

Leave out “his or her”.

Insert instead “the Homes Tasmania CEO’s”.

Clause as amended, agreed to.

Clause 20, Amendments made. (Ms *Webb*)

First amendment

Page 39, subclause (3).

Leave out “his or her”.

Insert instead “the Homes Tasmania CEO’s”.

Second amendment

Page 39, subclause (3).

Leave out “him or her”.

Insert instead “the Homes Tasmania CEO”.

Clause as amended, agreed to.

Clauses 21 and 22 agreed to.

Clause 23 read.

9 SITTING SUSPENDED.— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

10 QUESTION TIME.— The President called for Questions without Notice. There were six Questions asked.

Ordered, That Mrs *Hiscutt* have leave to Table the answer to a Question from the Member for Nelson (Ms *Webb*) regarding the construction of new houses for social housing in each of the last five years, and have the answer incorporated into the Hansard record.

11 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.

12 COMMITTEE APPOINTMENTS.— *Ordered*, That the Honourable Member for Nelson, Ms *Webb*, be appointed to serve on Government Administration Committee ‘B’ and the Honourable Member for Pembroke, Mr *Edmunds*, be appointed to serve on Government Administration Committee ‘A’. (Mrs *Hiscutt*)

13 BILL NO. 35.— The Council again resolved itself into a Committee on the Homes Tasmania Bill 2022.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 23 as read, further considered and agreed to.

Clauses 24 and 25 agreed to.

Clause 26, Amendment made. (Mrs *Hiscutt*)

Page 47, subclause (2), paragraph (c), subparagraph (iii).

Leave out the subparagraph.

Insert instead the following:

- (iii) each project, for the development of land or buildings, or both, in relation to which Homes Tasmania has, during the financial year, entered into a contract, or other arrangement, under which Homes Tasmania is to expend an amount that is more than the prescribed amount or \$8 000 000, whichever is the higher amount;

Clause as amended, agreed to.

Clauses 27 to 35 agreed to.

Clause 36 read.

14 SITTING SUSPENDED.— It being 4.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 4.30 o'clock p.m.

15 BILL NO. 35.— The Council again resolved itself into a Committee on the Homes Tasmania Bill 2022.

(In the Committee)

Ms Forrest in the Chair.

Clause 36 as read, further considered and agreed to.

Clauses 37 to 42 agreed to.

Clause 43 read and considered.

Question put, That Clause 43 be agreed to.

Committee divided.

AYES 11

NOES 3

Ms Armitage
Mr Duigan
Mr Edmunds (Teller)
Ms Forrest
Mr Gaffney
Mr Harriss
Mrs Hiscutt
Ms Howlett
Ms Lovell
Ms Palmer
Mr Willie

Ms Rattray
Mr Valentine (Teller)
Ms Webb

It was resolved in the Affirmative.

Clauses 44 to 75 agreed to.

To report progress and seek leave to sit again.

The Council being resumed *Ms Forrest* reported that the Committee had made progress in the Bill, and that he was directed to move that the Committee may have leave to sit again.

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

16 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 6.38 o'clock p.m. and resumed at 7.34 o'clock p.m.

17 BILL NO. 35.— The Council again resolved itself into a Committee on the Homes Tasmania Bill 2022.

(In the Committee)

Ms Forrest in the Chair.

Clause 76 and 77 agreed to.

Clause 78 read and considered.

Question put, That Clause 78 be agreed to.

Committee divided.

AYES 10

Ms Armitage
Mr Duigan
Mr Edmunds
Ms Forrest
Mr Harriss
Mrs Hiscutt
Ms Howlett (Teller)
Ms Lovell
Ms Palmer
Mr Willie

NOES 4

Mr Gaffney
Ms Rattray (Teller)
Mr Valentine
Ms Webb

It was resolved in the Affirmative.

Clauses 79 to 109 agreed to.

Clause 110, Amendment made. (*Ms Webb*)

Page 143, subclause (2).

Leave out “his or her”.

Insert instead “the person’s”.

Clause as amended agreed to.

Clauses 111 to 115 agreed to.

Schedule 1, Amendments made. (*Ms Webb*)

First amendment

Page 150, clause 2.

Leave out “his or her” (first occurring).

Insert instead “the holder’s”.

Second amendment

Page 150, clause 2.

Leave out “his or her” (second occurring).

Insert instead “the holder’s”.

Third amendment

Page 151, clause 3, subclause (1).

Leave out “his or her”.

Insert instead “the director’s”.

Fourth amendment

Page 151, clause 5, subclause (1).

Leave out “he or she”.

Insert instead “the director”.

Fifth amendment

Page 155, clause 3, subclause (1).

Leave out “he or she”.

Insert instead “the Homes Tasmania Board chair”.

Schedule 1, as amended agreed to.

Schedule 2, Amendment made. (Ms Webb)

Page 160, clause 2, subclause (1), paragraph (b).

Leave out “his or her”.

Insert instead “the person’s”.

Schedule 2, as amended, agreed to.

Title agreed to.

Bill to be reported with Amendments.

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council with Amendments.

Ordered, That the consideration of the Bill as amended in Committee be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

18 BILL NO. 36.— The Order of the Day was read for the Second reading of the Homes Tasmania (Consequential Amendments) Bill 2022.

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

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 44 agreed to.

Schedule agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed him to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Ms *Palmer*)

19 ADJOURNMENT.— *Resolved*, That the Council will, at its rising adjourn until 11.00 o'clock a.m. on Thursday, 29 September 2022. (Mrs *Hiscutt*)

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

The Council adjourned at 8.10 o'clock p.m.

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

Briefing:

- *Climate Change (State Action) Amendment Bill 2021*