

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

No 1

No 1 — Wednesday 19 December 2018

- 1 **PROCLAMATION SUMMONING PARLIAMENT TO MEET** — The House met at 11.00 am in accordance with a Proclamation of the Governor dated 12 December 2018, which was read by the Clerk of the Legislative Assembly as follows:

PROCLAMATION

I, Linda Dessau AC, Governor of the State of Victoria, acting under sections 8 and 20 of the *Constitution Act 1975* and all other powers vested in me, fix 19 December 2018 at 11.00 am as the time for the commencement and holding of the first session of the Fifty-ninth Parliament of Victoria for the dispatch of business, at Parliament House, Melbourne. The Members of the Legislative Council and the Members of the Legislative Assembly are required to attend at that time and place.

Given under my Hand and the Seal of the State of Victoria, at Melbourne, this 12th day of December 2018.

(LS)

THE HONOURABLE LINDA DESSAU AC
Governor

By Her Excellency's Command
DANIEL ANDREWS MP
Premier of Victoria

- 2 **COMMISSION FOR THE COMMENCEMENT AND HOLDING OF THE PRESENT SESSION OF PARLIAMENT** — The Honourable Justice Christopher Maxwell AC, having entered the House and been conducted by the Serjeant-at-Arms to the Chair, said:

HONOURABLE MEMBERS OF THE LEGISLATIVE ASSEMBLY:

The Governor has caused a Commission to be issued under the Seal of the State constituting her Commissioners to do in her name all that is necessary to be performed in this Parliament. This will more fully appear from the Commission which will now be read by the Clerk.

The Clerk read the Commission:

BY HER EXCELLENCY THE HONOURABLE LINDA DESSAU AC
GOVERNOR OF VICTORIA

TO THE HONOURABLE JUSTICE ANNE FERGUSON

CHIEF JUSTICE OF VICTORIA
AND
TO THE HONOURABLE JUSTICE CHRISTOPHER MAXWELL AC
PRESIDENT OF THE COURT OF APPEAL

GREETING:

Acting under all available powers and with the consent of the Premier, I commission each of you, on my behalf, to open the first session of the Fifty-ninth Parliament at 11.00 am in the morning of Wednesday the nineteenth day of December 2018 and to do all other things that it is necessary or usual for me to do on the opening of a new Parliament (other than to give my speech).

Given under my hand and the Seal of Victoria on this 17th day of December 2018.

(LS)

THE HONOURABLE LINDA DESSAU AC
Governor

By Her Excellency's Command
DANIEL ANDREWS MP
Premier

- 3 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS** — The Honourable Justice Christopher Maxwell AC announced that he had received from the Governor a Commission to administer the oath or affirmation of allegiance to members of the Legislative Assembly, which the Clerk read as follows:

BY HER EXCELLENCY THE HONOURABLE LINDA DESSAU AC
GOVERNOR OF VICTORIA

TO THE HONOURABLE JUSTICE CHRISTOPHER MAXWELL AC
PRESIDENT OF THE COURT OF APPEAL

GREETING:

Acting under section 23 of the *Constitution Act 1975* I authorise you, in the Parliament Houses, Melbourne, on the nineteenth day of December 2018, to administer the prescribed Oath or Affirmation of allegiance to Members of the Legislative Assembly.

Given under my hand and the Seal of Victoria on this 17th day of December 2018.

(LS)

THE HONOURABLE LINDA DESSAU AC
Governor

By Her Excellency's Command
DANIEL ANDREWS MP
Premier

- 4 **WRIT** — The Clerk announced that a writ issued by the Governor for the election of members to serve in the Legislative Assembly of Victoria had been returned by the Electoral Commissioner, and the following members were elected for the districts listed:

Albert Park	Martin Foley
Altona	Jill Hennessy
Bass	Jordan Crugnale
Bayswater	Jackson Taylor
Bellarine	Lisa Neville
Benambra	Bill Tilley
Bendigo East	Jacinta Allan
Bendigo West	Maree Edwards
Bentleigh	Nick Staikos
Box Hill	Paul Hamer
Brighton	James Newbury
Broadmeadows	Frank McGuire
Brunswick	Tim Read
Bulleen	Matthew Guy
Bundoora	Colin Brooks
Buninyong	Michaela Settle
Burwood	Will Fowles
Carrum	Sonya Kilkenny
Caulfield	David Southwick
Clarinda	Meng Heang Tak
Cranbourne	Pauline Richards
Croydon	David Hodgett
Dandenong	Gabrielle Williams
Eildon	Cindy McLeish
Eltham	Vicki Ward
Essendon	Danny Pearson
Euroa	Steph Ryan
Evelyn	Bridget Vallence
Ferntree Gully	Nick Wakeling
Footscray	Katie Hall
Forest Hill	Neil Angus
Frankston	Paul Edbrooke
Geelong	Christine Couzens
Gembrook	Brad Battin
Gippsland East	Tim Bull
Gippsland South	Danny O'Brien
Hastings	Neale Burgess
Hawthorn	John Ormond Kennedy
Ivanhoe	Anthony Carbines
Kew	Tim Smith
Keysborough	Martin Pakula
Kororoit	Marlene Kairouz
Lara	John Eren
Lowan	Emma Kealy

Macedon	Mary-Anne Thomas
Malvern	Michael O'Brien
Melbourne	Ellen Sandell
Melton	Stephen John McGhie
Mildura	Ali Cupper
Mill Park	Lily D'Ambrosio
Monbulk	James Merlino
Mordialloc	Tim Richardson
Mornington	David Morris
Morwell	Russell Northe
Mount Waverley	Matt Fregon
Mulgrave	Daniel Andrews
Murray Plains	Peter Walsh
Narracan	Gary Blackwood
Narre Warren North	Luke Donnellan
Narre Warren South	Gary Maas
Nepean	Chris Brayne
Niddrie	Ben Carroll
Northcote	Kat Theophanous
Oakleigh	Steve Dimopoulos
Ovens Valley	Tim McCurdy
Pascoe Vale	Lizzie Blandthorn
Polwarth	Richard Riordan
Prahran	Sam Hibbins
Preston	Robin Scott
Richmond	Richard Wynne
Ringwood	Dustin Halse
Ripon	Louise Staley
Rowville	Kim Wells
Sandringham	Brad Rowswell
Shepparton	Suzanna Sheed
South Barwon	Darren Cheeseman
South-West Coast	Roma Britnell
St Albans	Natalie Suleyman
Sunbury	Josh Bull
Sydenham	Natalie Hutchins
Tarneit	Sarah Connolly
Thomastown	Bronwyn Halfpenny
Warrandyte	Ryan Smith
Wendouree	Juliana Addison
Werribee	Tim Pallas
Williamstown	Melissa Horne
Yan Yean	Danielle Green
Yuroke	Ros Spence

- 5 **MEMBERS' ALLEGIANCE** — All of the above members took and subscribed the oath or affirmation as required by law.

Then the Commissioner said:

HONOURABLE MEMBERS OF THE LEGISLATIVE ASSEMBLY:

The Governor will attend the Parliament later this day to inform you and members of the Legislative Council of the reasons for calling this Parliament together, and as it is necessary before you proceed with business that a Speaker of the Legislative Assembly be chosen, the Governor requests that you proceed to the choice of a Speaker.

The Commissioner then retired from the House.

- 6 **ELECTION OF SPEAKER** — Mr Carroll proposed the Member for Bundoora, Mr Brooks, as Speaker of the Legislative Assembly and moved, That the Member for Bundoora take the Chair of this House as Speaker. The motion was seconded by Ms Kairouz.

Mr Brooks accepted the nomination.

As no other member was proposed, the Clerk declared that the Member for Bundoora had been duly elected as Speaker.

Mr Brooks was accompanied to the Chair by Mr Carroll and Ms Kairouz, where he acknowledged the great honour conferred upon him. The Mace was then placed on the table.

Mr Andrews and Mr O'Brien (*Malvern*) congratulated the Speaker.

- 7 **ELECTION OF DEPUTY SPEAKER** — Ms Allan proposed the Member for Bendigo West, Ms Edwards, as Deputy Speaker and moved, That the Member for Bendigo West be appointed Deputy Speaker of this House. The motion was seconded by Ms Halfpenny.

Ms Edwards accepted the nomination.

As no other member was proposed, the Speaker announced that the Member for Bendigo West had been duly elected Deputy Speaker.

[The Speaker left the Chair at 11.45 am and resumed it at 2.00 pm]

- 8 The Speaker read the Prayer and made an acknowledgement of Country.

- 9 **PRESENTATION OF THE SPEAKER** — The Speaker advised that he had today presented himself to the Governor as the choice of the Legislative Assembly and that the Governor had been pleased to address him in the following terms:

Speaker

I have pleasure in congratulating you on your election to the high and important office of Speaker of the Legislative Assembly.

The able manner in which you have discharged the duties you have undertaken during your parliamentary career is recognised by the members of the Legislative Assembly who in their wisdom have selected you as their Speaker.

I have confidence that you will fulfil the duties of this distinguished office and hold fast to its traditions and customs.

THE HONOURABLE LINDA DESSAU AC
Governor of Victoria

Melbourne
19 December 2018

- 10 **MESSAGE FROM THE GOVERNOR** — The following message was delivered by the Usher of the Black Rod:

Speaker

The Governor desires the immediate attendance of the members of the Legislative Assembly in the Legislative Council Chamber.

Accordingly, the Speaker with the House went to attend the Governor — And having returned —

[The Speaker left the Chair at 2.07 pm and resumed it at 4.01 pm]

- 11 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS** — The Speaker announced that he had received a Commission from the Governor, which he read as follows:

BY HER EXCELLENCY THE HONOURABLE LINDA DESSAU AC
GOVERNOR OF VICTORIA

TO THE HONOURABLE COLIN BROOKS
SPEAKER OF THE LEGISLATIVE ASSEMBLY OF VICTORIA

GREETING:

Acting under section 23 of the *Constitution Act 1975* I authorise you, from time to time, in the Parliament Houses, Melbourne, to administer the prescribed Oath or Affirmation of allegiance to any Member of the Legislative Assembly who has not already taken and subscribed the same since his or her election to the Legislative Assembly.

Given under my hand and the Seal of Victoria on this 19th day of December 2018.

(LS)

THE HONOURABLE LINDA DESSAU AC
Governor

By Her Excellency's Command
DANIEL ANDREWS MP
Premier

12 **QUESTIONS** — (Under SO 55).

13 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2018** — Mr Foley obtained leave to bring in '*A Bill for an Act to amend the **Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015** and for other purposes*'; and, after debate, the Bill was read a first time and, by leave, ordered to be read a second time immediately.

14 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2018** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 2 January 2019.

15 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — Ms Hennessy obtained leave to bring in '*A Bill for an Act to amend the **Protected Disclosure Act 2012**, the **Independent Broad-based Anti-corruption Commission Act 2011**, the **Victorian Inspectorate Act 2011**, the **Public Interest Monitor Act 2011**, the **Ombudsman Act 1973** and the **Parliamentary Committees Act 2003** and make consequential amendments to other Acts to make Victoria's integrity and accountability system clearer and more efficient and to otherwise improve its operation and for other purposes*'; and the Bill was read a first time and, under SO 61(2), ordered to be read a second time immediately.

16 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 2 January 2019.

- 17 **AUDIT AMENDMENT BILL 2018** — Ms Hennessy obtained leave to bring in ‘*A Bill for an Act to re-enact with amendments certain provisions of the **Audit Act 1994** and to extend and modernise the duties, powers and functions of the Auditor-General and the Victorian Auditor-General’s Office, to clarify the rights and obligations of entities audited by the Auditor-General, to consequentially amend certain other Acts and for other purposes*’; and, after debate, the Bill was read a first time and, under SO 61(2), ordered to be read a second time immediately.

- 18 **AUDIT AMENDMENT BILL 2018** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 2 January 2019.

- 19 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Ms Hennessy obtained leave to bring in ‘*A Bill for an Act to re-enact with amendments the law relating to guardianship and administration, to repeal the **Guardianship and Administration Act 1986** and to amend consequentially various other Acts and for other purposes*’; and, after debate, the Bill was read a first time and, under SO 61(2), ordered to be read a second time immediately.

- 20 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 2 January 2019.

- 21 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2018** — Mr Pallas obtained leave to bring in ‘*A Bill for an Act to amend the **Fair Work (Commonwealth Powers) Act 2009** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 22 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Ms Allan obtained leave to bring in ‘*A Bill for an Act to amend the **Business Franchise (Petroleum Products) Act 1979**, the **Commercial Passenger Vehicle Industry Act 2017**, the **Heavy Vehicle National Law Application Act 2013**, the **Major Transport Projects Facilitation Act 2009**, the **Road Safety Act 1986**, the **Transport (Compliance and Miscellaneous) Act 1983**, the **Transport Integration Act 2010**, to make consequential amendments to other Acts and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 23 **EQUAL OPPORTUNITY AMENDMENT (EQUALITY IN SCHOOLS) BILL 2018** — Motion made and question — That the Member for Prahran have leave to bring in ‘*A Bill for an Act to amend the **Equal Opportunity Act 2010** to provide that particular provisions of that Act do not permit religious schools to discriminate against certain persons on the basis of sex, sexual orientation, lawful sexual activity, marital status, parental status or gender identity*’ (Mr Hibbins) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 6

Ali Cupper; Sam Hibbins; Russell Northe; Tim Read; Ellen Sandell; Suzanna Sheed.

NOES 79

Juliana Addison; Jacinta Allan; Daniel Andrews; Neil Angus; Brad Battin; Gary Blackwood; Lizzie Blandthorn; Chris Brayne; Roma Britnell; Josh Bull; Tim Bull; Neale Burgess; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; David Hodgett; Melissa Horne; Natalie Hutchins; Marlene Kairouz; Emma Kealy; John Kennedy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; Cindy McLeish; James Merlino; David Morris; Lisa Neville; James Newbury; Michael O’Brien; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Richard Riordan; Brad Rowswell; Steph Ryan; Robin Scott; Michaela Settle; Ryan Smith; Tim Smith; David Southwick; Ros Spence; Nick Staikos; Louise Staley; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Bill Tilley; Bridget Vallance; Nick Wakeling; Peter Walsh; Vicki Ward; Kim Wells; Gabrielle Williams; Richard Wynne.

Question defeated.

24 **DOCUMENTS**

JUDICIAL COLLEGE OF VICTORIA — Report 2017–18 tabled by leave (*Ms Hennessy*).

OFFICE OF THE PUBLIC ADVOCATE — Report 2017–18 tabled by leave (*Ms Hennessy*).

Ordered to be published.

VICTORIA LAW FOUNDATION — Report 2017–18 tabled by leave (*Ms Hennessy*).

VISIT VICTORIA — Report 2017–18 tabled by leave (*Mr Pakula*).

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Ms Hennessy presented by Command of the Governor:

County Court of Victoria — Report 2016–17.

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Adult Parole Board — Report 2017–18

Alpine Health — Report 2017–18

Ambulance Victoria — Report 2017–18

Auditor-General:

Report on the Annual Financial Report of the State of Victoria: 2017–18 — Ordered to be published

Results of 2017–18 Audits: Local Government — Ordered to be published

Australian Health Practitioner Regulation Agency — Report 2017–18

Bairnsdale Regional Health Service — Report 2017–18

Barwon Health — Report 2017–18

Beaufort and Skipton Health Service — Report 2017–18

Beechworth Health Service — Report 2017–18

Boort District Health — Report 2017–18

Calvary Health Care Bethlehem Ltd — Report 2017–18

Castlemaine Health — Report 2017–18 (two documents)

Central Gippsland Health Service — Report 2017–18

Climate Change Act 2017 — Victorian Greenhouse Gas Emissions Report 2018

Cobram District Health — Report 2017–18

Colac Area Health — Report 2017–18

Coroners Court of Victoria — Report 2017–18

Corryong Health — Report 2017–18 (two documents)

Country Fire Authority — Report 2017–18

Court Services Victoria — Report 2017–18

Development Victoria — Report 2017–18

Disability Services Commissioner — Report 2017–18

Duties Act 2000:

Report 1 January to 30 June 2018 of Foreign Purchaser Additional Duty Exemptions under s 3E Reports 2017–18 of exemptions and refunds under ss 250B and 250DD (two documents)

East Wimmera Health Service — Report 2017–18

EastLink Project Act 2004 — EastLink Fourth Amending Deed

Economic Development, Jobs, Transport and Resources, Department of — Report 2017–18

Edenhope and District Memorial Hospital — Report 2017–18

Emerald Tourist Railway Board — Report 2017–18

Emergency Services Telecommunications Authority — Report 2017–18

Energy Safe Victoria — Report 2017–18

Environment Protection Act 1970 — Orders under s 18D (two orders)

Environment Protection Authority — Report 2017–18

Fed Square Pty Ltd — Report 2017–18

Financial Management Act 1994:

Budget Update 2018–19

Report from the Attorney-General that she had received the report 2017–18 of the Judicial College of Victoria

Reports from the Minister for Agriculture that she had received the reports 2017–18 of the: Greater Sunraysia Pest Free Area Industry Development Committee

Murray Valley Wine Grape Industry Development Committee

Report from the Minister for Energy, Environment and Climate Change that she had received the Report 2017–18 of the Commissioner for Environmental Sustainability
Reports from the Minister for Planning that he had received the reports 2017–18 of the:
Architects Registration Board of Victoria
Heritage Council of Victoria
Surveyors Registration Board of Victoria

Game Management Authority — Report 2017–18

Gippsland Southern Health Service — Report 2017–18

Greyhound Racing Victoria — Report 2017–18

Health and Human Services, Department of — Report 2017–18

Health Practitioner Regulation National Law (Victoria) Act 2009 — Report 2017–18 of the National Health Practitioner Ombudsman and Privacy Commissioner

Hepburn Health Service — Report 2017–18

Heywood Rural Health Service — Report 2017–18

Independent Broad-based Anti-corruption Commission — Report 2017–18 — Ordered to be published

Inglewood and Districts Health Service — Report 2017–18

Interpretation of Legislation Act 1984:

Notices under s 32(3)(a)(iii) in relation to:

State Environment Protection Policy (Waters) (*Gazette G47, 22 November 2018*)

Statutory Rule 149 (*Gazette G46, 15 November 2018*)

Variation of Waste Management Policy (Solid Fuel Heating) (*Gazette G43, 25 October 2018*)

Notices under s 32(4)(a)(iii) in relation to Statutory Rules 166/2008, 37/2011, 132/2012, 22/2017 (*Gazette G41, 11 October 2018*)

Judicial Commission of Victoria — Report 2017–18

Kerang District Health — Report 2017–18

Kooweerup Regional Health Service — Report 2017–18 (two documents)

Kyabram District Health Service — Report 2017–18

Kyneton District Health Service — Report 2017–18

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Land Tax Act 2005 — Report 2017–18 of Land Tax Absentee Owner Surcharge Exemptions under ss 3B and 3BA

Latrobe Regional Hospital — Report 2017–18

Liquor Control Reform Act 1998 — Report 2017–18 under s 148R

Lorne Community Hospital — Report 2017–18 (two documents)

Maldon Hospital — Report 2017–18 (two documents)

Mallee Track Health and Community Service — Report 2017–18

Mansfield District Hospital — Report 2017–18

Melbourne City Link Act 1995:

Deed of Lease (Western Link Upgrade) — WLU Company Lease

Deed of Lease (Western Link Upgrade) — WLU Trust Concurrent Lease

Melbourne Convention and Exhibition Trust — Report 2017–18

Melbourne Market Authority — Report 2017–18

Members of Parliament (Register of Interests) Act 1978 — Cumulative Summary of Returns as at 30 September 2018 — Ordered to be published

Mental Health Complaints Commissioner — Report 2017–18

Metropolitan Fire and Emergency Services Board — Report 2017–18

Metropolitan Waste and Resource Recovery Group — Report 2017–18

Moyne Health Services — Report 2017–18

Nathalia District Hospital — Report 2017–18

National Health Funding Pool, Administrator of — Report 2017–18

National Rail Safety Regulator, Office of — Report 2017–18

Ombudsman:

Investigation into allegations of improper conduct by officers at Goulburn Murray Water — Ordered to be published

Investigation into the imprisonment of a woman found unfit to stand trial — Ordered to be published

Omeo District Health — Report 2017–18

Parks Victoria — Report 2017–18

Parliamentary Committees Act 2003:

Government response to the Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the management, governance and use of environmental water

Government response to the Family and Community Development Committee's Report on the Inquiry into perinatal services

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine Resorts — GC113
 Banyule — C116, C123
 Bass Coast — GC111
 Baw Baw — C113, C130, GC111
 Benalla — C36
 Boroondara — C268 Part 1, C283, C300, C301, C302
 Brimbank — C188 Part 1, GC96, GC110
 Buloke — C36
 Campaspe — C110
 Cardinia — C243, GC96, GC103
 Casey — C232, GC96, GC100, GC103
 Colac Otway — GC113
 Corangamite — GC113
 Darebin — C164, C165
 East Gippsland — C139, C147, GC111
 Frankston — C111
 French Island and Sandstone Island — GC111
 Glen Eira — C149, GC96
 Glenelg — C92, GC113
 Golden Plains — C75 Part 1
 Greater Bendigo — C234, GC110
 Greater Dandenong — C208, GC96, GC103, GC110
 Greater Geelong — C343, C359 Part 1, C378, C385
 Greater Shepparton — C204
 Hepburn — C72
 Hobsons Bay — C88, C112, C122, GC110
 Horsham — C75
 Hume — C217, C218, C221, C224, C229, C232, GC96
 Kingston — C176, GC96, GC110
 Knox — C142, C160, C165
 Latrobe — C104, C111, C112, GC111
 Maribyrnong — C151, C152, GC96
 Maroondah — C96, C97, C104, C117

Melbourne — C301, C304, C327, C341, C345, C346, GC81
Melton — C171, C191, GC96
Mildura — C100 Part 1
Mitchell — C117 Part 2, GC108
Monash — C140, C144, C147, GC96, GC103
Moonee Valley — C148, C186, C196, C197, C198, C199
Moorabool — C79, C81
Moreland — C160, C175
Mornington Peninsula — C250
Mount Alexander — C84, C85, C86
Moyne — GC113
Murrindindi — GC100
Port Phillip — C122, C149, C151, GC81
Pyrenees — C43
Queenscliffe — GC113
South Gippsland — GC111
Southern Grampians — C36, GC113
Stonnington — C223, C270, C277, C284, GC96, GC103
Swan Hill — GC100
Victoria Planning Provisions — VC147, VC149, VC150, VC152, VC153, VC154, VC155
Wangaratta — GC100
Warrnambool — GC113
Wellington — C104, GC111
Whitehorse — C194
Whittlesea — C113, C212, C221, C231, GC96, GC100, GC108, GC110
Wyndham — C222, GC110
Yarra — C188, C232, C236, C244, C248, C249, C250, GC96
Yarra Ranges — C142, C169, C179, C180

Post Sentence Authority — Report 2017–18

Professional Standards Council of Victoria — Report 2017–18 (two documents)

Public Prosecutions, Office of — Report 2017–18

Queen Elizabeth Centre — Report 2017–18

Recreational Fishing Licence Trust Account — Report 2017–18 on the disbursement of revenue

Regional Development Victoria — Report 2017–18

Rochester and Elmore District Health Service — Report 2017–18

Royal Children’s Hospital — Report 2017–18

Rural Northwest Health — Report 2017–18

Sentencing Advisory Council — Report 2017–18

South Gippsland Hospital — Report 2017–18

State Sport Centres Trust — Report 2017–18

State Trustees Ltd — Report 2017–18

Statutory Rules under the following Acts:

Building Act 1993 — SRs 149, 180

Children, Youth and Families Act 2005 — SRs 147, 169, 185, 186

County Court Act 1958 — SRs 170, 172

Crimes (Controlled Operations) Act 2004 — SR 160

Criminal Procedure Act 2009 — SR 186

Dangerous Goods Act 1985 — SR 155

Drugs, Poisons and Controlled Substances Act 1981 — SR 178

Environment Protection Act 1970 — SR 146

Family Violence Protection Act 2008 — SRs 136, 161, 169, 182

Gas Safety Act 1997 — SRs 140, 141

Health Practitioner Regulation National Law (Victoria) Act 2009 — SR 166

Heavy Vehicle National Law Application Act 2013 — SR 165

Labour Hire Licensing Act 2018 — SR 179

Liquor Control Reform Act 1998 — SR 153

Livestock Disease Control Act 1994 — SR 171

Magistrates' Court Act 1989 — SRs 151, 158, 159, 167, 182

Major Crime (Investigative Powers) Act 2004 — SR 173

Metropolitan Fire Brigades Act 1958 — SR 163

National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018 — SR 138

Oaths and Affirmations Act 2018 — SR 152

Occupational Health and Safety Act 2004 — SR 176

Owners Corporations Act 2006 — SR 154

Planning and Environment Act 1987 — SR 156

Prevention of Cruelty to Animals Act 1986 — SR 144

Public Administration Act 2004 — SR 143

Public Health and Wellbeing Act 2008 — SR 148

Public Interest Monitor Act 2011 — SR 184

Retirement Villages Act 1986 — SR 188

Road Safety Act 1986 — SR 181

Sentencing Act 1991 — SR 162

Service Victoria Act 2018 — SR 192

Subordinate Legislation Act 1994 — SRs 137, 139, 191

Supreme Court Act 1986 — SRs 135, 168

Surveillance Devices Act 1999 — SR 174

Survey Co-ordination Act 1958 — SR 190

Surveying Act 2004 — SR 189

Terrorism (Community Protection) Act 2003 — SR 183

Transport Accident Act 1986 — SR 177

Transport (Compliance and Miscellaneous) Act 1983 — SRs 150, 157

Victorian Civil and Administrative Tribunal Act 1998 — SR 187

Victorian Energy Efficiency Target Act 2007 — SRs 145, 175

Voluntary Assisted Dying Act 2017 — SR 142

Wildlife Act 1975 — SR 164

Subordinate Legislation Act 1994:

Documents under s 15 in relation to:

Occupational Health and Safety Act 2004 — Orders approving:

Compliance code: Managing asbestos in workplaces

Compliance code: Prevention of falls in general construction

Compliance code: Prevention of falls in housing construction

Compliance code: Removing asbestos in workplaces

Professional Standards Act 2003 — The Law Society of New South Wales Professional Standards Scheme

Statutory Rules 117, 122, 123, 124, 125, 126, 127, 128, 129, 135, 136, 138, 139, 140, 141, 142, 143, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 167, 168, 169, 170, 171, 172, 173, 174, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192

Documents under s 16B in relation to:

Catchment and Land Protection Act 1994 — Amendment of the declaration of the feral or wild population of the cat as an established pest animal on specified crown land

Child Wellbeing and Safety Act 2005 — Child Safe Standards

City of Greater Geelong Act 1993 — Greater Geelong City Council — Mayoral and Deputy Mayoral Allowances — Alteration

City of Melbourne Act 2001 — Melbourne City Council — Lord Mayoral, Deputy Lord Mayoral and Councillor Allowances — Alteration

Domestic Animals Act 1994 — Amendment of Business Code of Practice — Code of Practice for the Operation of Pet Shops

Electricity Safety Act 1998 — Exemption orders under s 120W (three orders)

Family Violence Protection Act 2008 — Family Violence Risk Assessment and Risk Management Framework

Gambling Regulation Act 2003 — Ministerial direction — Self-exclusion programs

Legal Profession Uniform Law Application Act 2014 — Practitioner Remuneration Order 2019

Meat Industry Act 1993:

Determining categories and fixing fees for game meat processing facility licences

Fixing fees for approval of game meat field harvesters

Service Victoria Act 2018 — Identity Verification Standards 2018

Wildlife Act 1975 — Declaration of the dingo to be unprotected wildlife

Sustainability Victoria — Report 2017–18

Tallangatta Health Service — Report 2017–18 (two documents)

Taxi Services Commission — Report 2017–18

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- Terang and Mortlake Health Service — Report 2017–18
- Trust for Nature (Victoria) — Report 2017–18
- Tweddle Child and Family Health Service — Report 2017–18 (two documents)
- V/Line Corporation — Report 2017–18
- VicForests — Report 2017–18
- Victoria Legal Aid — Report 2017–18
- Victoria State Emergency Service Authority — Report 2017–18
- Victoria’s Mental Health Services — Report 2017–18
- Victorian Building Authority — Report 2017–18
- Victorian Civil and Administrative Tribunal — Report 2017–18
- Victorian Environmental Assessment Council — Report 2017–18
- Victorian Environmental Assessment Council Act 2001* — Statement of amendment of government response to the Victorian Environmental Assessment Council’s Final Report on the River Red Gum Forests Investigation
- Victorian Equal Opportunity and Human Rights Commission — Report 2017–18 — Ordered to be published
- Victorian Fisheries Authority — Report 2017–18
- Victorian Health Promotion Foundation — Report 2017–18
- Victorian Inspectorate — Special report — Welfare of witnesses in IBAC investigations — Ordered to be published
- Victorian Institute of Forensic Medicine — Report 2017–18
- Victorian Law Reform Commission — Report 2017–18 — Ordered to be published
- Victorian Multicultural Commission — Report 2017–18
- Victorian Plantations Corporation — Report 2017–18
- VITS LanguageLoop — Report 2017–18
- West Gippsland Healthcare Group — Report 2017–18

Western District Health Service — Report 2017–18

Witness Protection Act 1991 — Report 2017–18 under s 20R

Yarram and District Health Service — Report 2017–18

Yarrawonga Health — Report 2017–18

Yea and District Memorial Hospital — Report 2017–18

Zoological Parks and Gardens Board — Report 2017–18.

- 25 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 5 February 2019 at 12.00 noon (*Ms Allan*) — put and agreed to.
- 26 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** — Motion made, by leave, and question — That Mr Burgess, Ms Connolly and Ms Kilkenny be members of the Scrutiny of Acts and Regulations Committee (*Ms Allan*) — put and agreed to.
- 27 **GOVERNOR’S SPEECH** — The Speaker reported that today the House attended the Legislative Council Chamber, where the Governor was pleased to make a speech to both Houses of Parliament. The speech was as follows:

Introduction

Honourable President and members of the Legislative Council:

Honourable Speaker and members of the Legislative Assembly:

First, I acknowledge the Traditional Owners of the land upon which we are gathering and I acknowledge their ongoing connection to it.

Following the results of the general election on 24 November, I commissioned the Leader of the Victorian Labor Party, Mr Daniel Andrews, to form a government.

Accordingly, I have called you together on this day, the first session of the 59th Parliament, to outline the policy agenda and legislative intentions of the Government in its second term.

Summary

The Government has spent the past four years investing in hospitals and schools, building road and rail, creating jobs and taking action on family violence.

In its second term, the Government will continue to deliver on its positive plan, creating a better, fairer and stronger Victoria.

The Government is committed to helping every child reach their full potential, making sure our loved ones get the care and dignity they deserve, and building the big infrastructure projects Victoria needs now, and for the future.

It is a plan that aims to create more jobs and to give more Victorians the security and dignity of work.

Over the next four years the Government will focus on:

- education
- jobs
- transport
- health; and
- fairness.

Education

The Government understands the profound power of education — the doors it opens and the opportunities it affords.

In its second term, the Government will continue to invest in local schools, kindergartens and TAFE to ensure that every Victorian has the chances in life they deserve — wherever they live and whatever their background.

Investing in kindergarten for all Victorian children

The Government understands that success begins with making sure Victorian children get the very best start in life.

That's why the Government will undertake the largest social, economic and educational reform in early childhood learning in Victoria's history.

The Government will invest almost \$5 billion over the next decade so that every Victorian child will have access to at least five hours of subsidised three-year-old kinder by 2022, increasing to 15 hours per week over the next decade.

Not only will this save families thousands of dollars, it will help get children ready for school and set them up for life.

As part of this investment, the Government will undertake the state's biggest early education build, with almost 1,000 new and upgraded kinders across the state.

Delivering great local schools

Continuing its investments in education, the Government will upgrade schools across the state.

And to make sure families in our fastest growing communities have a great local school they can rely on, the Government will open 100 new schools over the next eight years.

Fairness for our kids

The Government will also continue to make sure that every child can get the most of their education, expanding its school Breakfast Clubs and providing free school lunches to 1,000 schools across the state.

The Government will also invest in free dental care at all public primary and secondary schools, rolling out 250 dental vans and saving families up to \$400 per year on their child's dental care.

Rebuilding Victoria's TAFEs

And because the Government understands that TAFE changes lives, it will continue its rebuild of Victoria's training system.

On top of the free TAFE courses in priority areas, the Government will establish the Building Better TAFEs Fund — \$220 million to rebuild and revamp TAFEs across the state.

Jobs

The Government believes in good, secure jobs.

Jobs that give Victorians dignity and security and an opportunity to build their futures.

Protecting penalty rates

In its second term, the Government will enshrine public holidays in law, including Easter Sunday, Christmas Day and Grand Final Friday, to permanently protect penalty rates for thousands of Victorian workers.

Protecting Victorians and their entitlements at work

And because this Government believes in fair pay for fair work, it will introduce new legislation to make wage theft a criminal offence, with significant penalties for employers who deliberately and dishonestly underpay their workers.

The Government will also continue to implement new labour hire licensing and portable long service arrangements legislated by the previous Parliament, and continue the role of the Victorian Wage Inspectorate in protecting the rights of workers.

The Government believes that every worker should make it home safely, which is why it will introduce a new offence to make workplace manslaughter a crime.

These new laws will make sure that if an employer's negligence causes death, they are held to account, and it will help to create a culture where the safety of workers is given the priority it deserves.

Creating jobs in regional Victoria

The Government will build on its efforts in creating thousands of new jobs, in every corner of the state.

That includes new jobs in the Latrobe Valley by basing a new office of Solar Victoria in Morwell.

The Government will help grow Victoria's craft producers, creating new jobs and attracting even more visitors from interstate and overseas, with a dedicated \$10 million grant fund.

The Government will also help create more jobs in Victoria's agriculture industry, supporting our farming families, investing in our agricultural colleges and continuing its support for young farmers.

Transport

The Government has used its purchasing power to help create more jobs for Victorians, including mandating a minimum requirement for local content on its major projects and requiring that 10 percent of work is to be done by trainees, apprentices, and cadets.

The Government will continue to make sure Victorian jobs are at the heart of its efforts to build a world-class transport system.

The Suburban Rail Loop

To keep up with our growing population and to help connect Victoria, the Government will begin planning on the Suburban Rail Loop.

The Suburban Rail Loop will be an underground train network that connects every major train line from Cheltenham to Werribee — including a link to Melbourne Airport — with 12 new underground stations.

The Suburban Rail Loop will also create regional super hubs at Clayton, Broadmeadows and Sunshine, and take 200,000 cars off our roads every day.

Western Rail Plan

The Government's Western Rail Plan recognises the growth of Melbourne's western suburbs and the popularity of Geelong and Ballarat as commuter hubs.

The Western Rail Plan includes planning for the full separation of regional and metro services on the Geelong and Ballarat lines — the first step in delivering fast rail to these cities — meaning fewer stops, faster trips and less crowded trains for local passengers.

Cranbourne Duplication

The Government also acknowledges the growing needs of Melbourne's south east.

That's why the Government will invest \$750 million in the Cranbourne Line Duplication Project to duplicate eight kilometres of rail track between Cranbourne and Dandenong and remove the bottlenecks that cause delays.

This will allow the number of train services to be doubled during peak times, delivering trains every ten minutes to Lynbrook, Merinda Park and Cranbourne Stations.

Removing dangerous Level Crossings

The Government has already removed 29 of our state's most dangerous and congested level crossings.

The Government will build on this work, removing a total of 75 level crossings by 2025.

Airport Rail

The Government will also provide up to \$5 billion towards a new Airport Rail Link, matching the funding provided by the Commonwealth Government and making sure work on this much-talked about project can begin.

North East Link

To better connect our city and our state, the Government will build the \$16.5 billion North East Link project, reducing travel times between Melbourne's north and south by up to 30 minutes and taking thousands of cars off local roads.

Fixing local roads for local drivers

The Government will continue its investment in local roads, with plans to fix thousands of kilometres of roads across the state, in communities from Ballarat to Barwon Heads.

11,000 more train station car parks

And to make it easier for commuters to find a car park, the Government's \$150 million Car Parks for Commuters Fund will see over 11,000 new and upgraded car spaces at some of the state's busiest metropolitan and regional train stations.

Health

The Government also wants to make sure every Victorian has access to quality healthcare close to home.

Building better hospitals

The Government believes that begins with ensuring a strong hospital system.

Building on its existing investments, the Government will invest \$675 million to build, expand and upgrade ten community hospitals across the state, providing even more Victorians with the care they need closer to home.

The Government will also build a new public hospital in Footscray that will accommodate 504 beds, easing the pressure on inner-city hospitals.

The new Footscray Hospital will be located on the campus of Victoria University, and will serve as a major tertiary and training hospital and hub, and help meet the growing demand for healthcare from local families.

The Government will also invest an additional \$10 million towards the ongoing redevelopment of Wangaratta Hospital, so local doctors and nurses can deliver the very best care.

The Government will also redevelop Frankston Hospital to accommodate 120 new beds and build a new maternity ward, obstetrics ward, women's clinic, paediatric ward and special care nursery, as well as two entire floors devoted to mental health, to meet growing demand as more young families move to Melbourne's south-eastern suburbs.

Regional Investments

The Government will continue to invest in healthcare for regional patients, delivering 500,000 extra specialist appointments in regional communities over the next four years.

This will save Victorian patients thousands of dollars in out-of-pocket private specialist sessions and will mean regional patients no longer have to spend hours away from loved ones to access specialist care.

The Government also recognises that farmers in our rural communities are less likely to visit their GP, and more likely to face complications with injury and illness.

That's why the Government will provide an extra \$4 million to the National Centre for Farmer Health to ensure that Victorian farmers can continue to rely on the vital care they receive through the Centre. This will assist the Centre to continue its work in providing on-the-ground and immediate support to farmers in partnership with the Victorian Farmers Federation.

Royal Commission into Mental Health

The Government recognises that mental wellbeing is just as important as physical wellbeing.

And over the course of their lifetime, at least one in two Victorians will struggle with a mental health condition.

The Government recognises that more can, and should, be done.

That's why this Government will establish a Royal Commission into Mental Health.

The first of its kind in Australia, the Commission will focus on the quality and cost of care across Victoria's healthcare system, address early intervention and addiction, and examine how the Government can better support families and mental health workers.

This builds on the Government's commitment to introduce provisional acceptance WorkCover payments for mental health injuries sustained by our emergency workers, rolling out to every Victorian worker in the next two years.

The Very Best Start

The Government acknowledges that right now, the price of IVF makes it inaccessible for many Victorians.

The Government will invest \$32 million to help make sure more Victorians can start a family with access to low-cost, subsidised IVF services and will establish bulk-billing IVF clinics across Victoria.

The Government will also invest \$22 million to give new parents a Baby Bundle with essential baby products and information focused on safe sleeping, feeding and healthy development.

The Government will also invest \$232 million to build seven new Early Parenting Centres, refurbish two more and deliver a range of vital services to help more than 4,500 Victorian families in those critical early months and years.

And because there's nothing more important than the safety of our children, the Government will invest \$4 million to fund Neighbourhood Houses and community organisations right across Victoria to provide families free car seat fitting and safety checks.

Backing Victorian nurses, midwives and paramedics

The Government will always support the vital role that nurses and midwives play in caring for Victorian patients, and the importance of maintaining nurse-patient ratios.

The Government has already enshrined minimum nurse and midwife to patient ratios in law, and in its second term will further strengthen these lifesaving protections.

As part of this reform, the Government will recruit 1,100 new nurses and midwives so that patients are cared for in their times of need.

The Government also wants to make sure that in an emergency, Victorians can be confident they will continue to get the fast, life-saving care they need.

The Government will respect and support the work of our paramedics with 90 new recruits, introducing 23 more ambulances on the roads and investing \$25 million to upgrade and build new ambulance stations across the state.

Fairness

As the Victorian economy continues to grow, the Government wants to make sure that success is shared with every community in every corner of our state.

Engaging with Aboriginal Victorians on Treaty

The Government recognises the importance of respecting and listening to Victoria's Aboriginal communities.

And in its second term, the Government will facilitate the first round of the Treaty Community Engagement Program to ensure the voices of Aboriginal Victorians are at the heart of the Treaty process.

Investing in our multicultural communities

The Government believes that Victoria's multiculturalism is a pivotal part of our state's story and success.

The Government will continue to support this proud diversity, with investments to help more of our multicultural communities celebrate and share their traditions and heritage.

Building new public housing

The Government will replace up to 2,500 old public housing properties with modern, comfortable, energy efficient and secure properties.

The Government will also invest a further \$209 million to build 1,000 new public housing properties across the state.

Recognising that family violence is a major contributor to homelessness, and that women often flee violence with their children, the Government will ensure that many of these new properties are two or three-bedroom homes that can accommodate a family.

Family Violence

The Government will also continue to meet its commitment to implement every single one of the 227 recommendations from the Royal Commission into Family Violence.

This includes doubling the number of specialist family violence financial counsellors to help more victim survivors as they rebuild their lives.

Supporting Victoria's LGBTI communities

The Government is proud to stand with Victoria's LGBTI communities.

Understanding that LGBTI Victorians face higher rates of depression and suicide, the Government will invest in more counselling services for LGBTI Victorians and their families, including increasing mental health support through Switchboard Victoria.

More green spaces for our communities

Our community parks are integral to bringing people together and promoting a healthy and active lifestyle.

The Government aims to make sure that every Victorian has access to quality local parks no matter where they live.

The Government has committed \$150 million to create more than 6,500 hectares of new parklands and new walking and bike trails across Victoria.

Easing energy costs

The Government will stand up for families and for fairness, delivering new assistance to help Victorians with the cost of living.

The Government will reform Victoria's energy sector to help reduce power prices.

The reforms will enforce stronger punishments for retailers who do the wrong thing and better protections for consumers.

This builds on the Government's commitment to install solar panels for 700,000 Victorian homeowners and renters.

This investment will help Victorians save around \$890 a year on their electricity bills.

The Government will also invest in new solar hot water systems and batteries for even more households, and support the accreditation of 4,500 electricians to ensure the highest safety standards.

The Government will also increase Victoria's Renewable Energy Target to 50 per cent by 2030, creating thousands of jobs, lowering power bills and helping to protect the environment.

Integrity of public institutions

The Government will introduce legislation to strengthen parliamentary standards, including removing the role of parliament in setting MP salaries.

The Government is also committed to improving our state's integrity and accountability system so that governments are better placed to deliver for all Victorians.

Closing

Honourable members, I have outlined for you the Government's program for this Parliament. It is an optimistic and positive plan, designed to meet the challenges our state faces, while demonstrating the Government's commitment to creating a better, fairer and stronger Victoria.

Although each of you comes from a different background and offers a different perspective, I trust that working together you will serve the people of Victoria with courage and conviction.

It is now my pleasure to wish you well and declare open the 59th Parliament of Victoria.

- 28 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion made and question proposed — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House:

Governor:

We, the Legislative Assembly of Victoria assembled in Parliament, wish to express our loyalty to our Sovereign, and to thank you for the speech which you have made to the Parliament (*Mr Brayne, seconded Ms Horne*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 29 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Mr Carroll*) — put and agreed to.

- 30 **ADJOURNMENT** — After debate, the Speaker left the Chair at 8.02 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 2 and 3

No 2 — Tuesday 5 February 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF JAMES EDMUND McCABE** — The Speaker announced the death of James Edmund McCabe, Member of the Legislative Assembly for the District of Lowan from 1964 to 1967 and 1970 to 1979; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS** — (Under SO 55).
- 4 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019** — Ms Hennessy obtained leave to bring in ‘*A Bill for an Act to reform the current system relating to salaries, allowances and standards for Members of Parliament by establishing the Victorian Independent Remuneration Tribunal and making amendments to the **Parliamentary Salaries and Superannuation Act 1968**, the **Members of Parliament (Register of Interests) Act 1978** and the **Parliamentary Administration Act 2005**, and to make related amendments to the **Public Administration Act 2004** and consequential amendments to certain other Acts and for other purposes*’; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2019** — Ms Neville obtained leave to bring in ‘*A Bill for an Act to amend the **Bail Act 1977**, the **Confiscation Act 1997**, the **Corrections Act 1986**, the **Crimes Act 1958**, the **Drugs, Poisons and Controlled Substances Act 1981**, the **Firearms Act 1996**, the **Magistrates’ Court Act 1989**, the **Protected Disclosure Act 2012**, the **Road Safety Act 1986**, the **Second-Hand Dealers and Pawnbrokers Act 1989**, the **Sentencing Act 1991**, the **Sex Offenders Registration Act 2004**, the **Sex Offenders Registration Amendment (Miscellaneous) Act 2017**, the **Surveillance Devices Act 1999**, the **Victoria Police Act 2013** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019** — Ms Allan obtained leave to bring in ‘*A Bill for an Act to amend the **Parliamentary Committees Act 2003** to abolish certain Joint House Committees, to amend the **Parliamentary Salaries and Superannuation Act 1968** in relation to additional salaries and expense allowances to which certain members of the Parliament are entitled and to make a statute law revision to a provision of the **Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019** that consequentially amends the **Parliamentary Committees Act 2003** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 7 **ACTING SPEAKERS** — The Speaker tabled the following warrant appointing Acting Speakers:

VICTORIA
LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Josh Bull, Anthony Carbines, Steve Dimopoulos, Tim Richardson, Ros Spence and Vicki Ward to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

Given under my hand on 5 February 2019.

Colin Brooks MP
SPEAKER

- 8 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny presented the Alert Digest No 1 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Audit Amendment Bill 2018
Guardianship and Administration Bill 2018
Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018
Justice Legislation Miscellaneous Amendment Act 2018 — House Amendment
Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Bill 2018

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Commissioner for Environmental Sustainability — Report 2017–18

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2017–18 of the:

Alpine Resorts Co-ordinating Council, together with an explanation for the delay
Barwon South West Waste and Resource Recovery Group, together with an explanation for the delay
Gippsland Waste and Resource Recovery Group, together with an explanation for the delay
Goulburn Valley Waste and Resource Recovery Group, together with an explanation for the delay
Grampians Central West Waste and Resource Recovery Group, together with an explanation for the delay

Gunaikurnai Traditional Owner Land Management Board, together with an explanation for the delay

Loddon Mallee Waste and Resource Recovery Group, together with an explanation for the delay

North East Waste and Resource Recovery Group, together with an explanation for the delay
Report from the Minister for Energy, Environment and Climate Change that she had not received the reports 2017–18 of the:

Dhelkunya Dja Land Management Board, together with an explanation for the delay

Yorta Yorta Traditional Owner Land Management Board, together with an explanation for the delay

Gambling Regulation Act 2003 — Report of Independent Review Panel — Gaming Machines Licensing Process: Allocation — Ordered to be published

Legal Services Council and Commissioner for Uniform Legal Services Regulation — Reports 2017–18

Murray-Darling Basin Act 1993 — Amendments to the Murray-Darling Basin Agreement under s 28

Planning and Environment Act 1987:

Infrastructure and Development Contribution Levies — Report 2017–18
Notices of approval of amendments to the following Planning Schemes:

Alpine — GC114

Benalla — GC114

Cardinia — C231, C252

Casey — C221 Part 1, C228, GC116

Glenelg — C89

Greater Geelong — C368

Greater Shepparton — GC114

Hume — C207, C208, GC116

Indigo — GC114

Kingston — C181, C182

Loddon — C40

Macedon Ranges — C124

Mansfield — GC114

Mitchell — GC55, GC116

Moira — C87, GC114

Moorabool — C90

Moreland — C173

Mornington Peninsula — C215

Mount Alexander — C82

Murrindindi — C62, GC114

Port Phillip — C154, C159

Stonnington — C288

Strathbogie — GC114

Towong — GC114
 Wangaratta — GC114
 Warrnambool — C200
 Whitehorse — C214
 Whittlesea — GC55
 Wodonga — GC114

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SR 3
Gambling Regulation Act 2003 — SR 1
Subordinate Legislation Act 1994 — SR 2

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Transport (Compliance and Miscellaneous) Act 1983* — Conditions under s 220D

Victorian Plantations Corporation — Report 2017–18.

- 9 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Audit Amendment Bill 2018
 Guardianship and Administration Bill 2018
 Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018.

- 10 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing orders, and sessional orders if any, be suspended to allow:

- (1) the order of business tomorrow to be:

Formal business
 Statements by members
 Government business
 Question time at 11.00 am
 2009 Victorian bushfires anniversary motion under paragraph (2);

- (2) the Premier to move the 2009 Victorian bushfires anniversary motion tomorrow, without leave or notice;
- (3) members to speak on the 2009 Victorian bushfires anniversary motion for a maximum of 15 minutes;
- (4) members who have not yet made their inaugural speeches to speak on the 2009 Victorian bushfires anniversary motion without that speech being considered their inaugural speech;

- (5) at the conclusion of the 2009 Victorian bushfires anniversary motion, the House to immediately adjourn; and
- (6) for 2019, a debate on the question ‘That grievances be noted’ to take place on the second sitting Wednesday and every subsequent third sitting Wednesday

(Ms Allan) — after debate, put and agreed to.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 7.00 pm today:

Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2018

(Ms Allan) — after debate, put and agreed to.

- 12 **STATEMENTS BY MEMBERS** — Members made statements.

- 13 **SESSIONAL ORDERS** — Motion made and question — That the following sessional orders be adopted, to come into operation with effect from the next sitting day —

1 Days and times of meeting

Unless otherwise ordered, the House will meet each Tuesday at 12.00 noon, and each Wednesday and Thursday at 9.30 am.

2 Interruption of business for adjournment

Standing Order 32 be suspended and the following to apply:

- (1) Subject to paragraphs (2) and (3), the Speaker will interrupt the business before the House at:

- (a) 7.00 pm each sitting Tuesday and Wednesday;

- (b) 5.00 pm on any other sitting day.

- (2) If a division is taking place when the time for the interruption arises, the division will be completed and the result announced. If the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with. The Speaker will then interrupt business.

- (3) If the time for the interruption arises:

- (a) at the same time as the completion time set by the government business program; or
- (b) after the interruption for the completion time of the government business program, but before all business on the program has been dealt with —

all business on the government business program will be completed first. The Speaker will then interrupt business for the adjournment.

- (4) After the interruption:
 - (a) before a motion for the adjournment is proposed by the Speaker, a minister may move that the sitting be continued. That motion must be put immediately without amendment or debate. If it is agreed to, the House will resume debate at the point at which it had been interrupted; or
 - (b) if a motion is not moved, the Speaker will immediately propose the question 'That the House now adjourns'. Any business under discussion and any other business not concluded at the time of the adjournment will be listed on the notice paper for the next sitting day. Any member speaking at the time of the interruption may, when debate resumes, continue his or her speech.

3 Order of business

- (1) So much of standing orders as provide for question time to be held at 2.00 pm on sitting days other than Tuesdays is suspended to allow for question time to be held at 11.00 am on those days.
- (2) In Standing Order 55, for '2.00 pm', wherever occurring, read '11.00 am'.
- (3) So much of Standing Orders 36, 38, 39 and 41 be suspended so as to enable the following order of business on:

Wednesdays

Formal business
 Disallowance motions
 Statements by members
 Statements on parliamentary committee reports
 Government business
 Question time (11.00 am)
 Government business *continued*
 Matter of public importance or grievance debate (2.00 pm)
 Government business *continued*
 General business

Thursdays (and Fridays)

Formal business
Statements by members
Government business
Question time (11.00 am)
Government business *continued*
General business.

- (4) So much of Standing Orders 38 and 39 be suspended so as to enable:
- (a) at 2.00 pm on Wednesday, unless a division is taking place, the Chair interrupts the business before the House and the bells are then rung for one minute;
 - (b) if a division is taking place at 2.00 pm:
 - (i) it will be completed without interruption and result announced;
 - (ii) if the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with;
 - (iii) business is then interrupted following the procedure in subparagraph (a);
 - (c) the Chair announces the grievance debate or matter of public of importance, whichever the case may be;
 - (d) any business under discussion and not completed at the interruption will be resumed immediately at the end of the grievance debate or matter of public importance, whichever the case may be, and any member speaking at the time of the interruption may then continue his or her speech.
- (5) In Standing Order 39(9) for 'statements on parliamentary committee reports under SO 41' read 'government business'.

4 Answers to questions on notice

A reply to a question on notice delivered to the Clerk under Standing Order 54(3) must be submitted within 30 days.

5 Who may ask oral questions without notice

Only non-government members may ask questions without notice under Standing Order 55.

6 Supplementary questions without notice

- (1) At the conclusion of each answer to an oral question without notice, the questioning member may ask the responding minister a supplementary question to elucidate or clarify the answer.
- (2) Supplementary questions must actually and accurately relate to the original question, must relate to or arise from the answer and must not be a separate question on the same topic.

7 Ministers' statements

After each oral question without notice and any related supplementary questions, any minister may seek the call to make a statement of up to two minutes.

8 Constituency questions

- (1) At the conclusion of oral questions without notice and ministers' statements, five government members and five non-government members may ask one oral question each to ministers relating to constituency matters.
- (2) Replies to constituency questions must be given in writing within 30 days by delivering a reply to the Clerk. The Clerk must give the response to the member who asked the question and electronically publish the response.

9 Duration of question time

Standing Order 55(2) is suspended and the following to apply:

Question time will last until five oral questions and related supplementary questions have been answered, up to five ministers' statements have been made and up to ten constituency questions have been asked and where a question is ruled out of order it is, for the purposes of this sessional order, deemed to have been answered.

10 Time limits on answers and questions

- (1) The time limit for each oral question, supplementary question and constituency question is one minute.
- (2) The time limit for the answer to each oral question is three minutes, and for the answer to each supplementary question is one minute.

11 Content of answers

Standing Order 58(1)(a) is suspended and all answers to questions must be direct, factual, succinct and relevant.

12 Chair ordering member to withdraw — application during oral questions without notice and ministers' statements

Where:

- (1) a member is ordered to withdraw from the House under Standing Order 124 during oral questions without notice or ministers' statements; and
- (2) the time for oral questions without notice and ministers' statements ends before the end of the suspension period —

the member may return to the Chamber after the time for oral questions without notice and ministers' statements but must serve the remainder of their suspension during the next question time, subject to Standing Order 124(2).

13 Time limit for lead speakers

For the purposes of Standing Order 131, and subject to any agreement to the contrary, additional time provided for the lead speaker of any other party does not apply where such a party has advised the Speaker that it is in a coalition arrangement with another party.

14 Notices of motion

Standing Orders 140(1) and 141 are suspended and the following to apply:

- (1) A member may only move a motion to discuss a subject if he or she has given notice of that motion on a previous sitting day.
- (2) Copies of all verbal notices must be provided to the Clerks at the table before notices are called on by the Speaker.
- (3) Copies of all written notices must be provided to the Clerks at the table before the conclusion of formal business.
- (4) All notices given by ministers must be verbal.
- (5) Verbal notices must be read to the House. They can only be given before the House proceeds to the business of the day as set out in the notice paper.
- (6) All notices, except notices given under paragraph (7) given by members who are not ministers, must be given in writing. Members may give notice by lodging a copy with the Clerks in accordance with paragraph (3).
- (7) A motion by a member expressing no confidence in the Premier and ministers, in the terms set out in s 8A of the *Constitution Act 1975*, may only be given verbally.
- (8) The Clerk must notify the Speaker of a notice of a motion by a member to disallow a statutory rule to which Standing Order 151 applies, and the Speaker will report details to the House at the first convenient opportunity.

15 Procedure for a division

Standing Order 164(1) is suspended and the following to apply:

When a division is requested, the Clerk will ring the bells for four minutes as indicated by the timer.

16 Operation of Acts — Proclamations

Copies of proclamations of the Governor in Council fixing dates for the coming into operation of Acts, as published in the Government Gazette from time to time will be tabled by the Clerk

(Ms Allan) — and, after debate —

Mr Wells announced amendments to be proposed to the motion and requested that they be circulated. Amendments circulated.

Ms Sandell announced amendments to be proposed to the motion and requested that they be circulated. Amendments circulated.

Mr Pearson announced an amendment to be proposed to the motion and requested that it be circulated. Amendment circulated.

Amendments proposed —

Sessional Order 6

- 1 Omit '(1)'.
- 2 Omit paragraph (2).

Sessional Order 7

- 3 Omit 'After each oral question without notice and any related supplementary questions, any minister' and insert 'Immediately before statements by members each sitting day up to five ministers'.
- 4 After 'minutes' insert 'to advise the House about matters related to their portfolio'.

Sessional Order 9

- 5 After 'until' omit 'five' and insert '10'.
- 6 Omit ', up to five ministers' statements have been made'.

Sessional Order 11

- 7 Before 'Standing' insert '(1)'.

8 After 'relevant.' insert the following new paragraphs —

- (2) The Speaker may determine that an answer to an oral question without notice or supplementary oral question is not responsive to the question, and may accordingly direct the minister to provide a written response to the question and lodge it with the Speaker by 11.00 am the next sitting day. The Speaker will forward the written response to the member who asked the question and the Clerk must publish the response electronically.
- (3) The Speaker will determine the adequacy of a written response to a question provided under this sessional order. The Speaker may determine that a written response does not appropriately answer the question and may direct that the minister provide another written response by 11.00 am the next sitting day. The Speaker will forward the written response to the member who asked the question and the Clerk must publish the response electronically.'

Sessional Order 12

9 Omit this sessional order.

Sessional Order 14

10 Omit 'Standing Orders 140(1) and 141' and insert 'Standing Order 140(1)'.

11 Omit paragraphs (6) to (8) inclusive and insert —

- (6) A maximum overall total of 10 general business verbal notices may be given each sitting day, five from government backbenchers collectively, and five from non-government members collectively. Non-government notices will be apportioned between members on a pro-rata basis, according to the non-government representation in the House.
- (7) In addition to notices given under paragraph (6), members may give written notice by lodging a copy, labelled as a written notice, with the Clerks in accordance with paragraph (3). Members are not entitled to also give such notices verbally.
- (8) A motion by a member expressing no confidence in the Premier and ministers, in the terms set out in s 8A of the *Constitution Act 1975*, may only be given verbally.
- (9) Except where a member has given notice under paragraph (6), the Clerk must notify the Speaker of a notice of a motion by a member to disallow a statutory rule to which SO 151 applies, and the Speaker will report details to the House at the first convenient opportunity.'

New Sessional Order

12 Insert the following sessional order after Sessional Order 3 —

'A Questions to ministers

So much of Standing Order 53(1) be suspended to allow non-government members to ask ministers questions without notice on any matter.'

(Mr Wells) — and, after debate —

Amendment proposed —

That the words 'effect from the next sitting day' be omitted and replaced with the words 'immediate effect'

(Mr Pearson) — and, after debate —

Amendments proposed —

Sessional Order 3

1 In paragraph (3), omit 'Matter of public importance or grievance debate' and insert 'General business'.

2 Omit paragraphs (4) and (5) and insert —

'(4) Standing Orders 37 to 39 inclusive be suspended, and so much of Standing Order 34 be suspended, so as to enable:

- (a) General business to be given precedence at 2.00 pm on Wednesdays for two hours;
- (b) at 2.00 pm on Wednesday, unless a division is taking place, the Chair interrupts the business before the House and the bells are then rung for one minute;
- (c) if a division is taking place at 2.00 pm:
 - (i) it will be completed without interruption and result announced;
 - (ii) if the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with;
 - (iii) business is then interrupted following the procedure in subparagraph (b);
- (d) the Chair announces general business;
- (e) Standing Orders 146, 148 and 150, setting out the order of notices of motion and orders of the day, continue to apply;
- (f) any business under discussion and not completed at the interruption will be resumed immediately at the end of general business, and any member speaking at the time of the interruption may then continue his or her speech.'

Sessional Order 7

3 After 'minutes' insert 'to advise the House about matters related to their portfolio'.

Sessional Order 11

4 Before 'Standing' insert '(1)'.

5 After 'relevant.' insert the following new paragraphs —

'(2) The Speaker may determine that an answer to an oral question without notice or supplementary oral question is not responsive to the question, and may accordingly direct the minister to provide a written response to the question and lodge it with the Speaker by 11.00 am the next sitting day. The Speaker will forward the written response to the member who asked the question and the Clerk must publish the response electronically.

(3) The Speaker will determine the adequacy of a written response to a question provided under this sessional order. The Speaker may determine that a written response does not appropriately answer the question and may direct that the minister provide another written response by 11.00 am the next sitting day. The Speaker will forward the written response to the member who asked the question and the Clerk must publish the response electronically.'

(Ms Sandell) — and, after debate —

Sessional Orders 1 and 2 agreed to.

Sessional Order 3

Question — That Ms Sandell's amendment Nos 1 and 2 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott;

Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

Sessional Order 3 agreed to.

Sessional Orders 4 and 5 agreed to.

Sessional Order 6

Question — That Mr Wells' amendment Nos 1 and 2 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

Sessional Order 6 agreed to.

Sessional Order 7

Question — That the words proposed to be omitted by Mr Wells' amendment No 3 stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowsell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That Mr Wells' amendment No 4 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowsell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

Sessional Order 7 agreed to.

Sessional Order 8 agreed to.

Sessional Order 9

Question — That Mr Wells' amendment Nos 5 and 6 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

Sessional Order 9 agreed to.

Sessional Order 10 agreed to.

Sessional Order 11

Question — That Mr Wells' amendment Nos 7 and 8 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott;

Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

Sessional Order 11 agreed to.

Sessional Order 12

Question — That Sessional Order 12 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Sessional Order 13 agreed to.

Sessional Order 14

Question — That Mr Wells' amendment Nos 10 and 11 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

Sessional Order 14 agreed to.

Sessional Orders 15 and 16 agreed to.

New Sessional Order

Question — That the new Sessional Order proposed by Mr Wells be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

Question — That Mr Pearson’s amendment be agreed to — put and agreed to.

Question — That the sessional orders be adopted, to come into operation with immediate effect — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 59

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 14 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2018** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Tuesday 19 February 2019.

- 15 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Britnell*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Tuesday 19 February 2019.

- 16 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Wells announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House today had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 7.01 pm under sessional orders.

- 19 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.28 pm.

No 3 — Wednesday 6 February 2019

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Pyrenees Highway Safety Improvements — Requesting that the Legislative Assembly calls on the Government to defer the commencement of the VicRoads Pyrenees Highway Safety Improvements Project and halt any work to remove roadside trees until the concerns from the community are fully addressed, bearing 453 signatures (*Ms Edwards*).

Ordered to be tabled.

- 3 **PETITION — PYRENEES HIGHWAY SAFETY IMPROVEMENTS** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 4 **ACTING SPEAKERS** — The Speaker tabled the following warrant appointing Acting Speakers:

VICTORIA
LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Lizzie Blandthorn, Christine Couzens, Sonya Kilkenny and Natalie Suleyman to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrant of 5 February 2019.

Given under my hand on 6 February 2019.

Colin Brooks MP
SPEAKER

- 5 **DOCUMENTS**

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Judicial Entitlements Act 2015 — Recommendation statement under s 34

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Returns January 2019 and Summary of Variations notified between 24 September 2018 and 4 February 2019 — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — C151
 Bayside — C153
 Greater Geelong — C376 Part 1
 Hobsons Bay — C116 Part 1
 Melbourne — C348
 Mitchell — C120
 Monash — C129 Part 2
 Port Phillip — C157

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 2, 3.

PROCLAMATIONS — The Clerk tabled the following proclamations fixing operative dates under Sessional Order 16:

Education Legislation Amendment (Victorian Institute of Teaching, TAFE and Other Matters) Act 2018 — Sections 46, 47, 48, 49, 54, 61, 62, 63 and 64 and Part 6 (except s 85) — 15 October 2018 (*Gazette S466, 10 October 2018*)

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Act 2018 — Whole Act — 1 April 2019 (*Gazette S517, 30 October 2018*)

Emergency Management Legislation Amendment Act 2018 — Sections 84, 85, 86, 87, 88 and 90 — 17 October 2018 (*Gazette S480, 16 October 2018*)

Justice Legislation Amendment (Access to Justice) Act 2018 — Division 4 of Part 6 and s 41 — 1 November 2018 (*Gazette S517, 30 October 2018*); Part 2 and Divisions 1, 2 and 3 of Part 10 — 7 December 2018; Part 5 — 14 December 2018 (*Gazette S497, 23 October 2018*)

Justice Legislation Amendment (Family Violence Protection and Other Matters) Act 2018 — Part 8 — 3 October 2018 (*Gazette S456, 2 October 2018*)

Justice Legislation Amendment (Terrorism) Act 2018 — Remaining provisions — 30 November 2018 (*Gazette S497, 23 October 2018*)

Justice Legislation Miscellaneous Amendment Act 2018 — Part 2, ss 8, 9, 11, 12 and 14, Divisions 2 and 3 of Part 4, Divisions 3, 4, 5, 6 and 7 of Part 5, Part 6, Division 2 of Part 7, Parts 8, 9, 10, 11, 12 and 13 and remaining provisions of Part 14 — 28 October 2018; Remaining provisions of Part 3 and Divisions 1 and 2 of Part 5 — 3 March 2019 (*Gazette S480, 16 October 2018*)

Liquor and Gambling Legislation Amendment Act 2018 — Remaining provisions — 11 October 2018 (*Gazette S466, 10 October 2018*)

Long Service Benefits Portability Act 2018 — Parts 1, 5 and 8 — 1 November 2018 (*Gazette S497, 23 October 2018*)

Transport Legislation Amendment (Road Safety, Rail and Other Matters) Act 2017 — Part 2.3 — 29 October 2018 (*Gazette S480, 16 October 2018*)

Victims and Other Legislation Amendment Act 2018 — Parts 1, 4 and 5 — 29 October 2018; Part 6 — 31 December 2018 (*Gazette S480, 16 October 2018*).

6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 19 February 2019 (*Ms Allan*) — put and agreed to.

7 **STATEMENTS BY MEMBERS** — Members made statements.

- 8 **JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2019** — Ms Neville tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 20 February 2019.

- 9 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019** — Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 20 February 2019.

- 10 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019** — Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 20 February 2019.

- 11 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*); debate resumed.

Business was interrupted at 11.00 am under the resolution of the House on 5 February 2019.

12 **QUESTION TIME** — (Under Sessional Order 9).

13 **2009 VICTORIAN BUSHFIRES ANNIVERSARY** — Motion made and question — That this House:

- (1) expresses its deepest sorrow on the eve of the 10th Anniversary of the 2009 Victorian Bushfires and mourns the 173 lives that were lost;
- (2) pays tribute to those emergency workers and volunteers who went above and beyond to save lives and protect communities; and
- (3) recognises the strength and commitment of Victorian communities to rebuild their homes, towns and lives

(Mr Andrews) — after members had addressed the House in support of the motion, put and, members rising in their places to signify their assent, agreed to unanimously.

14 **ADJOURNMENT** — The Speaker left the Chair at 5.11 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

VOTES AND PROCEEDINGS

Nos 4, 5 and 6

No 4 — Tuesday 19 February 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2019** — Ms Hennessy obtained leave to bring in '*A Bill for an Act to amend the **Open Courts Act 2013** in relation to the prohibition and restriction of the publication of information in court and tribunal proceedings, to make related amendments to the **Children, Youth and Families Act 2005** and the **Judicial Proceedings Reports Act 1958** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **ENERGY LEGISLATION AMENDMENT (VICTORIAN DEFAULT OFFER) BILL 2019** — Ms D'Ambrosio obtained leave to bring in '*A Bill for an Act to amend the **Electricity Industry Act 2000**, the **Essential Services Commission Act 2001** and the **Gas Industry Act 2001** to facilitate reforms to energy retail contract pricing and the introduction of a Victorian default offer providing a fair price for energy for households and small businesses and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **ESSENTIAL SERVICES COMMISSION AMENDMENT (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) BILL 2019** — Mr Scott obtained leave to bring in '*A Bill for an Act to amend the **Essential Services Commission Act 2001** and the **Victorian Civil and Administrative Tribunal Act 1998**, to make consequential amendments to certain other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **FAIR PRESUMPTIVE RIGHTS FOR FIREFIGHTERS BILL 2019** — Motion made and question — That the Member for Gembrook have leave to bring in '*A Bill for an Act to provide a rebuttable presumption for career firefighters and volunteer firefighters suffering from specified forms of cancer for the purpose of claiming compensation under the **Workplace Injury Rehabilitation and Compensation Act 2013** and for other purposes*' (Mr Battin) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan

Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 53

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

- 7 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

ADR68 Standard School Buses for Regional and Rural Victoria — Requesting that the Legislative Assembly calls on the Government to ensure that ADR68 standard school buses with seat belts are used on all regional and rural routes, bearing 195 signatures (*Ms McLeish*)

Beverley Hills Primary School — Requesting that the Legislative Assembly calls on the Government to commit to the funding required for the maintenance, repair and redevelopment of facilities at Beverley Hills Primary School, bearing 346 signatures (*Mr Smith, Warrandyte*).

Petitions ordered to be tabled.

- 8 **PETITION — ADR68 STANDARD SCHOOL BUSES FOR REGIONAL AND RURAL VICTORIA** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 9 **PETITION — BEVERLEY HILLS PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.
- 10 **ACTING SPEAKERS** — The Speaker tabled the following warrant appointing Acting Speakers:

VICTORIA LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Paul Edbrooke and Frank McGuire to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrants of 5 and 6 February 2019.

Given under my hand on 19 February 2019.

Colin Brooks MP
SPEAKER

11 **DOCUMENTS**

VICTORIAN GOVERNMENT ABORIGINAL AFFAIRS — Report 2018 tabled by leave (*Mr Wynne*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, presented the Alert Digest No 2 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Audit Amendment Bill 2018
Fair Work (Commonwealth Powers) Amendment Bill 2018
Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018
Justice Legislation Amendment (Police and Other Matters) Bill 2019
Parliamentary Committees Amendment Bill 2019
Spent Convictions Bill 2019
Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018
Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17D granting leases over:
Albert Park and Middle Park Sports Club Incorporated
Albert Park South Melbourne Rowing Club Incorporated
Albert Park Yacht Club Incorporated
Albert Sailing Club Incorporated
Harry Trott Association Incorporated
Middle Park Bowling Club Incorporated
Middle Park Football Club Incorporated
The Carmelite (Middle Park) Tennis Club Incorporated
The Scout Association of Australia Victorian Branch

Parliamentary Committees Act 2003 — Government response to the Family and Community Development Committee's Report on the Inquiry into perinatal services

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C287
 Brimbank — C203
 Latrobe — C106 Part 2
 Maribyrnong — C143
 Melbourne — C342
 Melton — C188
 Nillumbik — C116
 Northern Grampians — C31 Part 1
 South Gippsland — C117
 Wellington — C100
 Yarra Ranges — C149

Statutory Rules under the following Acts:

County Court Act 1958 — SR 7
Oaths and Affirmations Act 2018 — SRs 4, 5
Unclaimed Money Act 2008 — SR 6

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 145, 175/2018, 1, 6, 7
 Documents under s 16B in relation to the *Gambling Regulation Act 2003* — Ticket-In Ticket-Out (TITO) and Card Based Cashless (CBC) Gaming in Gaming Venues — Technical Standards.

PROCLAMATION — The Clerk tabled the following proclamation fixing an operative date under Sessional Order 16:

Children Legislation Amendment (Information Sharing) Act 2018 — Sections 10, 13 and 14 — 12 February 2019 (*Gazette S37, 12 February 2019*).

- 12 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Justice Legislation Amendment (Police and Other Matters) Bill 2019
 Parliamentary Committees Amendment Bill 2019
 Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018
 Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2019.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 21 February 2019:

Fair Work (Commonwealth Powers) Amendment Bill 2018
 Justice Legislation Amendment (Police and Other Matters) Bill 2019
 Parliamentary Committees Amendment Bill 2019
 Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2019

(Ms Allan) — after debate, put and agreed to.

14 **STATEMENTS BY MEMBERS** — Members made statements.

15 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (Ms Hennessy) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

16 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

17 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*); debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.21 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 5 — Wednesday 20 February 2019

1 The Speaker took the Chair and read the Prayer.

2 **WEST GATE TUNNEL (TRUCK BANS AND TRAFFIC MANAGEMENT) BILL 2019** — Mr Pallas obtained leave to bring in 'A Bill for an Act to provide for the operation of the West Gate Tunnel, to consequentially amend the **Accident Towing Services Act 2007**, the **Children, Youth and Families Act 2005**, the **Criminal Procedure Act 2009**, the **EastLink Project Act 2004**, the **Fines Reform Act 2014**, the **Heavy Vehicle National Law Application Act 2013**, the **Infringements Act 2006**, the **Magistrates' Court Act 1989**, the **Major Transport Projects Facilitation Act 2009**, the **Melbourne City Link Act 1995**, the **Road Management Act 2004**, the **Road Safety Act 1986**, and the **Transport Integration Act 2010** and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Penalties for Substance Abuse Drivers — Requesting that the Legislative Assembly calls on the Government to legislate harsher penalties for drivers who have been found guilty of driving under the influence of drugs and subsequently reoffend, bearing 157 signatures (*Mr Burgess*)

Seymour Train Line — Requesting that the Legislative Assembly calls on the Government to deliver 12 new trains for the Seymour train line to replace the diesel trains, reinstate a bunting maintenance yard at Seymour, introduce a fairer pricing system for residents from Kilmore to Seymour who travel to the city and commence track works to upgrade signals and improve or replace sections of the track, bearing 946 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 4 **PETITION — SEYMOUR TRAIN LINE** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.

- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Professional Learning for School Teachers — Ordered to be published

Melbourne City Link Act 1995:

City Link and Extension Projects Integration and Facilitation Agreement Twenty-fifth Amending Deed

CityLink Leases Amending Deed

Exhibition Street Extension Deed Eighteenth Amending Deed

Fourth Deed Amending Master Security Deed

Melbourne City Link Thirty-seventh Amending Deed

Ombudsman — VicRoads complaints — Ordered to be published.

- 6 **STATEMENTS BY MEMBERS** — Members made statements.

- 7 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2019** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 6 March 2019.

- 8 **ENERGY LEGISLATION AMENDMENT (VICTORIAN DEFAULT OFFER) BILL 2019** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 6 March 2019.

- 9 **ESSENTIAL SERVICES COMMISSION AMENDMENT (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) BILL 2019** — Mr Scott tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Angus*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 6 March 2019.

- 10 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*); debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 11 **QUESTION TIME** — (Under Sessional Order 9).

- 12 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Debate resumed on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*).

Business was interrupted at 2.00 pm under sessional orders.

- 13 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 14 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Resumption on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*).

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*); debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*); debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.24 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 6 — Thursday 21 February 2019

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

AGL Floating Gas Terminal at Crib Point — Requesting that the Legislative Assembly rejects AGL's proposal to transport liquid natural gas to a Floating Storage Regasification Unit moored to the Crib Point jetty on Westernport Bay, bearing 2383 signatures (*Mr Burgess*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 350 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — PENALTIES FOR SUBSTANCE ABUSE DRIVERS** — Motion made and question — That the petition presented by the Member for Hastings on 20 February 2019 be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 4 **PETITION — AGL FLOATING GAS TERMINAL AT CRIB POINT** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:
- Emergency Services Superannuation Scheme — Actuarial Investigation as at 30 June 2018
- Parliamentary Committees Act 2003* — Government response to the Economic, Education, Jobs and Skills Committee's Report on the Inquiry into career advice activities in Victorian schools.
- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 5 March 2019 (*Ms Allan*) — put and agreed to.
- 7 **STATEMENTS BY MEMBERS** — Members made statements.

- 8 **WEST GATE TUNNEL (TRUCK BANS AND TRAFFIC MANAGEMENT) BILL 2019** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 7 March 2019.

- 9 **JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 10 **QUESTION TIME** — (Under Sessional Order 9).

- 11 **JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2019** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*); debate resumed.

Amendment proposed — That the following words be added to the end of the motion: 'but respectfully regret that the speech fails to outline effective measures to protect Victoria's natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians' (*Mr Hibbins*) — and, after debate —

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 February 2019 had expired.

- 14 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 56

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Bill Tilley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.19 pm under sessional orders.

- 18 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.45 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 7, 8 and 9

No 7 — Tuesday 5 March 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **PROFESSIONAL ENGINEERS REGISTRATION BILL 2019** — Mr Pallas obtained leave to bring in '*A Bill for an Act to establish a scheme for the registration of professional engineers to promote best practice in providing professional engineering services, to provide for the endorsement of registration, to provide protection to consumers of professional engineering services and to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT BILL 2019** — Ms Allan obtained leave to bring in '*A Bill for an Act to amend the **Major Transport Projects Facilitation Act 2009** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2019** — Ms Allan obtained leave to bring in '*A Bill for an Act to amend the **Catchment and Land Protection Act 1994, the Dairy Act 2000, the Drugs, Poisons and Controlled Substances Act 1981, the Fisheries Act 1995, the Game Management Authority Act 2014, the Livestock Disease Control Act 1994, the Meat Industry Act 1993, the Melbourne Market Authority Act 1977, the Plant Biosecurity Act 2010, the Veterinary Practice Act 1997, the Wildlife Act 1975, and to make miscellaneous and consequential amendments to the Confiscation Act 1997, the Conservation, Forests and Lands Act 1987, the Crown Land (Reserves) Act 1978, the Environment Protection Act 1970, the Firearms Act 1996, the Land Act 1958 and to repeal the Livestock Disease Control Amendment Act 2007, the Broiler Chicken Industry Act 1978 and the Broiler Chicken Industry (Amendment) Act 1991 and for other purposes***'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, presented the Alert Digest No 3 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Energy Legislation Amendment (Victorian Default Offer) Bill 2019
Essential Services Commission Amendment (Governance, Procedural and Administrative Improvements) Bill 2019
Open Courts and Other Acts Amendment Bill 2019

Spent Convictions Bill 2019
 Statute Law Revision Bill 2018
 Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2019
 West Gate Tunnel (Truck Bans and Traffic Management) Bill 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:
 Moonee Ponds Court House Reserve
 The Kings Domain Reserve and Alexandra Park Reserve
 Orders under s 17D granting leases over:
 Cross Keys Reserve
 Flinders Foreshore Reserve
 Mornington Park Reserve
 Point Leo Foreshore Reserve
 St Kilda Botanical Gardens Reserve
 Tasma Terrace Reserve

Dhelkunya Dja Land Management Board — Report 2017–18, together with an explanation for the delay

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2018–19 Budget Estimates

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C310
 Buloke — GC117
 Campaspe — GC117
 Cardinia — C253
 Central Goldfields — GC117
 Colac Otway — C85
 Corangamite — C44
 Gannawarra — GC117
 Greater Bendigo — GC117
 Loddon — GC117
 Macedon Ranges — GC117

Melbourne — C349
Mildura — GC117
Mount Alexander — GC117
South Gippsland — C109
Swan Hill — GC117

Statutory Rules under the following Acts:

Adoption Act 1984 — SR 8
Coroners Act 2008 — SR 9
Fisheries Act 1995 — SR 11
Health Complaints Act 2016 — SR 12
Major Crime (Investigative Powers) Act 2004 — SR 10
Subordinate Legislation Act 1994 — SR 13

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 4, 5, 9

Victorian Inspectorate — Report No 1 2018–19 under s 30Q of the *Surveillance Devices Act 1999*

Victorian Inspectorate — Report 2017–18 under s 39 of the *Crimes (Controlled Operations) Act 2004*, s 131T of the *Fisheries Act 1995* and s 74P of the *Wildlife Act 1975*

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice (*Gazette S49, 20 February 2019*).

PROCLAMATION — The Clerk tabled the following proclamation fixing an operative date under Sessional Order 16:

Labour Hire Licensing Act 2018 — Parts 2, 3, 5 and 6 and Divisions 1, 3 and 6 of Part 7 and Part 8 — 29 April 2019 (*Gazette G9, 28 February 2019*).

7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018
Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2018.

8 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 26 February 2019
Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2018

On 5 March 2019

Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018.

- 9 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the West Gate Tunnel (Truck Bans and Traffic Management) Bill 2019.
- 10 **MESSAGE FROM THE GOVERNOR — SENATE VACANCY** — Transmitting a despatch from the President of the Senate notifying that a vacancy had happened in the representation of the State of Victoria in the Senate of the Commonwealth of Australia through the resignation of Senator the Honourable Jacinta Collins on 15 February 2019.

Ordered — That the message be taken into consideration immediately.

- 11 **JOINT SITTING — SENATE VACANCY** — Motion made and question — That this House meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Jacinta Collins, and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Wednesday 6 March 2019 at 6.15 pm (*Ms Allan*) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them of the resolution and requesting their agreement.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 7 March 2019:

Energy Legislation Amendment (Victorian Default Offer) Bill 2019

Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018

West Gate Tunnel (Truck Bans and Traffic Management) Bill 2019

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 30

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Russell Northe;

Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

13 **STATEMENTS BY MEMBERS** — Members made statements.

14 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this Bill be withdrawn and redrafted to provide for an increase in the guaranteed level of funding for rural, regional, outer suburban and interface communities from Better Roads Victoria funding and to ensure that such funding is not reduced over time by a reduction in the total funding pool' (*Ms Britnell*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Mr Tak*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Informing the Assembly that they have agreed to meet the Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Jacinta Collins as proposed by the Assembly.

16 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*) — *and on the amendment* — That the following words be added to the end of the motion 'but respectfully regret that the speech fails to outline effective measures to protect Victoria's natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians'; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.22 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 8 — Wednesday 6 March 2019

1 **ABSENCE OF SPEAKER** — The Clerk informed the House of the unavoidable absence of the Speaker from this morning's sitting.

2 The Deputy Speaker took the Chair and read the Prayer.

3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Rail Connection between Baxter and Mornington — Requesting that the Legislative Assembly calls on the Government to re-establish the rail connection between Baxter and Mornington, bearing 405 signatures (*Mr Burgess*).

Ordered to be tabled.

4 **DOCUMENTS**

VICTORIAN GOVERNMENT REPORT 2018 — ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE — Tabled by leave (*Ms Hennessy*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny presented a report from the Scrutiny of Acts and Regulations Committee on the Statute Law Revision Bill 2018, together with an appendix.

Ordered to be published.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following documents under an Act of Parliament:

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 10, 11, 13.

5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Parliamentary Committees Amendment Bill 2019 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

6 **STATEMENTS BY MEMBERS** — Members made statements.

7 **PROFESSIONAL ENGINEERS REGISTRATION BILL 2019** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 20 March 2019.

- 8 **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT BILL 2019** — Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 20 March 2019.

- 9 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2019** — Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 20 March 2019.

- 10 **ENERGY LEGISLATION AMENDMENT (VICTORIAN DEFAULT OFFER) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 11 **QUESTION TIME** — (Under Sessional Order 9).

- 12 **ENERGY LEGISLATION AMENDMENT (VICTORIAN DEFAULT OFFER) BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 13 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FINANCIAL MISMANAGEMENT** — The Speaker read Ms Staley’s proposal to the House —

‘That this House condemns the financial mismanagement of the Andrews Labor Government, noting that its consequences include:

- (1) Victoria being the highest taxed state in Australia;
- (2) state debt being set to double;
- (3) cost blow-outs worth billions of dollars on major projects; and
- (4) Victorian families facing record electricity disconnections.’

Ms Staley addressed the House — Discussion followed.

- 14 **ENERGY LEGISLATION AMENDMENT (VICTORIAN DEFAULT OFFER) BILL 2019** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **ADDRESS-IN-REPLY TO THE GOVERNOR’S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*) — *and on the amendment* — That the following words be added to the end of the motion ‘but respectfully regret that the speech fails to outline effective measures to protect Victoria’s natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians’; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019** — Order read for the consideration of the amendment made by the Legislative Council.

Motion made and question — That the amendment be disagreed with but amendments be made in the Bill (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; Sam Hibbins; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Message sent to the Legislative Council and their agreement requested.

- 17 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*) — *and on the amendment* — That the following words be added to the end of the motion 'but respectfully regret that the speech fails to outline effective measures to protect Victoria's natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians'; debate resumed.

[Business was interrupted at 6.15 pm for a joint sitting and resumed at 6.24 pm]

Business was interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 9 — Thursday 7 March 2019

- 1 The Speaker took the Chair and read the Prayer.
- 2 **JOINT SITTING — SENATE VACANCY** — The Speaker reported that the House met on Wednesday 6 March 2019 with the Legislative Council for the purpose of choosing a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Jacinta Collins and that Raffaele Ciccone was duly chosen to hold the vacant place.
- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Fencing Materials for Farmers in the Ovens Valley — Requesting that the Legislative Assembly, through the Minister for Agriculture, commits to funding fencing materials up to \$10,000 per farm, for farmers in the Ovens Valley affected by the damaging weather event of 13 December 2018, bearing 120 signatures (*Mr McCurdy*).

Ordered to be tabled.

- 4 **PETITION — RAIL CONNECTION BETWEEN BAXTER AND MORNINGTON** — Motion made and question — That the petition presented by the Member for Hastings on 6 March 2019 be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Australian Children's Education and Care Quality Authority — Report 2017–18

National Education and Care Services Freedom of Information and Privacy Commissioners and Ombudsman — Report 2017–18

Parliamentary Committees Act 2003:

Government response to the Accountability and Oversight Committee's Report on the Inquiry into methodologies and outcomes from Victorian Ombudsman reports tabled in the Parliament

Government response to the Electoral Matters Committee's Report on the Inquiry into civics and electoral participation in Victorian state parliamentary elections.

- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 19 March 2019 (*Ms Allan*) — put and agreed to.
- 7 **STATEMENTS BY MEMBERS** — Members made statements.
- 8 **STANDING ORDERS** — Motion made and question — That:

(1) Chapter 24 of the Standing Orders be omitted and replaced with the following:

‘CHAPTER 24 — COMMITTEES**201 Appointment of select committees**

The House may appoint a select committee to consider a specified matter.

202 Appointment of Standing Committees

(1) At the commencement of each session, the following Standing Committees will be appointed:

- (a) Economy and Infrastructure Standing Committee;
- (b) Environment and Planning Standing Committee; and
- (c) Legal and Social Issues Standing Committee.

(2) A Standing Committee holds office and may exercise all the powers conferred on it by these Standing Orders, any Act or otherwise by Parliament for the session during which its members are appointed and until the expiration, dissolution or other lawful determination of the Assembly.

203 Functions of Standing Committees

(1) The Economy and Infrastructure Standing Committee will inquire into and report on any proposal, matter or thing connected with the Department of Education and Training; the Department of Jobs, Precincts and Regions; the Department of Transport; and the Department of Treasury and Finance and related agencies.

(2) The Environment and Planning Standing Committee will inquire into and report on any proposal, matter or thing connected with the Department of Environment, Land, Water and Planning and related agencies.

(3) The Legal and Social Issues Standing Committee will inquire into and report on any proposal, matter or thing connected with the Department of Health and Human Services; the Department of Justice and Community Safety; and the Department of Premier and Cabinet and related agencies.

(4) If under the *Public Administration Act 2004* the name of a Department is changed, a reference in this Standing Order to a particular Department is, from the date when the name is changed and so far as it relates to any period on or after that date, taken to be a reference to the Department by its new name.

204 Referrals to Standing Committees

(1) A Standing Committee must inquire into, consider and report to the House on any proposal, matter or thing that is relevant to its functions and has been referred to the committee by resolution of the House.

- (2) A resolution of the House may specify a period of time within which the Standing Committee must make a final report to the House on the proposal, matter or thing.
- (3) A Standing Committee may inquire into, consider and report to the House on any annual report or other document relevant to the functions of the committee that is tabled in the House.
- (4) In carrying out its functions, a Standing Committee must comply with any limitation of time specified in subclause (2).

205 Membership

- (1) A committee will normally consist of not less than five, and not more than 12, members unless otherwise ordered by the House.
- (2) A list of members serving on committees must be published in the notice paper.
- (3) The Speaker or the Deputy Speaker cannot be compelled to be appointed to a committee.

206 Notice for appointment of a select committee

- (1) The notice of motion for the appointment of a select committee may name the members proposed for the committee. If it does not, the members of the committee must be selected by ballot.
- (2) A member intending to move for the appointment of a select committee must obtain in advance the consent of each proposed nominee to serve on such a committee.

207 Ballot for appointment to select committee

When members are to be selected under SO 205(1) by ballot:

- (1) The bells will be rung as for a division.
- (2) Each member present is issued with a list of all members that has been initialled by the Clerk.
- (3) No nomination is required.
- (4) A member votes by placing a cross against the names of the number of members as ordered by the House; if any list contains a larger or smaller number of votes than is required, it is void and rejected.
- (5) The Speaker will nominate scrutineers who, with the Clerk, will count the votes.

- (6) The members who receive the most votes will be declared by the Speaker to be elected.
- (7) If two or more members have an equality of votes for the last place or places on the committee, a second ballot will be held to determine that place or those places.
- (8) Only those members who achieved an equality of votes for that place or those places will continue as candidates in the second ballot.
- (9) If, after a second ballot, two or more members still have an equality of votes, the Speaker determines by lot which member or members are chosen.

208 Vacancy on a committee

A member ceases to be a member of a committee if:

- (1) The member's seat becomes vacant;
- (2) The member resigns by writing delivered to the Speaker; or
- (3) The member is discharged by the House.

209 Committee meetings

- (1) Committees may meet at any time, except that when the House is actually sitting:
 - (a) the Privileges and Standing Orders Committees may only meet within the parliamentary precincts; and
 - (b) any other committee may not meet unless specifically authorised to do so by the House.
- (2) Subject to paragraph (1), a committee may adjourn from time to time and from place to place.
- (3) A committee may use an audio link or audio visual link to allow a member to participate in a meeting of the committee provided the committee is satisfied that the quality of the audio link or audio visual link will enable members who are physically present at the meeting to verify the identity of that member. A member attending by audio link or audio visual link may be counted for the purposes of a quorum and may vote.

210 Election of Chair and Deputy Chair

- (1) At the first meeting of a committee, the Chair must be elected before any other business is discussed.
- (2) A committee may elect a Deputy Chair and, in the absence of the Chair,

any powers and duties of the Chair may be exercised by the Deputy Chair.

211 Absence of Chair and Deputy Chair

If the Chair and Deputy Chair are absent from any meeting the members present may appoint any one of their number to be Chair for that meeting.

212 Voting by members

- (1) Unless otherwise provided in these Standing Orders, a question arising at a committee meeting must be determined by a majority of votes of members present and voting on that question.
- (2) Each member of a Standing Committee has a deliberative vote. In the event of an equality of votes on any question, the Chair of a Standing Committee has a casting vote in addition to a deliberative vote.
- (3) Unless otherwise provided, the Chair of a select committee will only have a casting vote.

213 Quorum

- (1) The quorum of a committee is a majority of the members appointed to it.
- (2) If a quorum is not present within 30 minutes of the time set for a meeting of a committee, the meeting will lapse and the next meeting will be called by the Chair.
- (3) If, during a committee meeting, attention is drawn to the absence of a quorum by a member or officer of the committee, the Chair may suspend the committee until a quorum is present or adjourn the committee to some future time.

214 Evidence

- (1) A committee may send for persons, documents and other things.
- (2) Unless the House or the committee determines otherwise, a committee must take all evidence in public and may publish the evidence immediately.
- (3) A committee may take evidence in private if the committee resolves that special circumstances make it desirable to take the evidence in private and for this purpose, part or whole of a public hearing may be held in private.
- (4) A committee may take evidence in private but use it as public evidence, provided that the committee informed the person giving the evidence that it is received by the committee on the basis that it will be made public.
- (5) A committee may take evidence in any manner that the committee

considers appropriate including by means of audio link, audio visual link or any other electronic means.

- (6) A committee must determine what weight or value to give to evidence received by different means in accordance with subsection (5).
- (7) Without limiting or affecting the generality of section 19A of the *Constitution Act 1975*, evidence given before a committee must, if the committee so requires, be given on oath or affirmation.
- (8) An oath to be sworn or affirmation to be made by a witness who is to give evidence by audio link or audio visual link may be administered either—
 - (a) by means of the audio link or audio visual link, in as nearly as practicable the same way as if the witness were to give evidence at the place at which the committee is sitting; or
 - (b) at the direction of, and on behalf of, the committee at the place where the witness is located by a person authorised by the committee.
- (9) A committee may empower a specified member or members of the committee to send for persons, documents and other things and to take evidence with respect to any proposal, matter or thing which is referred to the committee for consideration and report if the committee unanimously agrees so to empower the member or members.
- (10) When sending for persons, documents and other things or when taking evidence under subsection (9), a member of a committee has all the privileges, immunities and powers of the committee.
- (11) Any person may make a written submission to a Standing Committee with respect to any proposal, matter or thing being inquired into or being considered by the Committee.

215 Subcommittees

- (1) A committee may appoint a subcommittee of three or more of its members to inquire into and report to the committee upon any matter which the committee is empowered to examine, but may not take evidence unless the committee so decides in relation to each proposed witness.
- (2) The quorum of a subcommittee is a majority of the members appointed to it.
- (3) The standing orders apply to a subcommittee in the like manner as they apply to a committee.

- (4) A subcommittee will report to the committee as soon as practicable on each matter referred to that subcommittee.

216 Deliberations in private

Committee deliberations will always be conducted in private except that, where special circumstances make it desirable to do so, a committee may resolve to allow other persons to attend.

217 Disclosure of evidence and other documents

- (1) The committee may authorise the publication of any documents, papers and submissions presented to it.
- (2) Evidence not taken in public and any documents, papers and submissions received by the committee which have not been authorised for publication will not be disclosed unless they have been reported to the House.

218 Unreported evidence

Where a committee lapses or ceases to have legal existence before it can report to the House, the evidence can be considered by any other committee appointed in the same or next Parliament inquiring into the same subject matter.

219 Recording of evidence

Unless otherwise determined by the committee, a transcript will be taken of all formal evidence.

220 Record of proceedings of committee

The minutes of proceedings of a committee must record each of the following:

- (1) The names of the members who attended each meeting.
- (2) Every motion or amendment proposed and the name of its mover.
- (3) The divisions and the names of the members voting for each side on a question, which must also be included in the committee's report to the House.

221 Chair to prepare draft report

The Chair of a committee will prepare the draft report for consideration by the committee.

222 Proceedings on consideration of draft report

- (1) The draft report will be printed and circulated to members of the committee.
- (2) The report will be considered paragraph by paragraph, or groups of paragraphs, and a question put 'That the paragraph [or paragraphs], or

the paragraph or paragraphs (as amended), stand part of the report’.

- (3) A member may move amendments to a paragraph at the time it is under consideration.
- (4) After all paragraphs and appendices (if any) have been considered, the question will be put ‘That the draft report (as amended) be the report of the committee’.

223 Minority report

When requested to do so by one or more members of a committee, the committee will include a minority report with its report to the House.

224 Report tabled

- (1) After a report of a committee is adopted by the committee, the Chair must —
 - (a) cause the report to be tabled in the House within 10 sitting days; or
 - (b) if the House is not sitting within 21 days of the adoption of the report and the committee unanimously so resolves, give the report to the Clerk.
- (2) If a report is received by the Clerk under subsection (1)(b), the Clerk must—
 - (a) as soon as practicable after the report is received, notify each member of the House of the receipt of the report and advise that the report is available upon request; and
 - (b) give a copy of the report to any member of the House upon request to the Clerk; and
 - (c) cause the report to be tabled in the House on the next sitting day of the House.
- (3) A report that is given to the Clerk under subsection (1)(b) is taken to have been published by authority of the Assembly.

225 Interim reports

A committee may report upon its deliberations and present its minutes, evidence or other documents from time to time.

226 Report of Standing Orders Committee

- (1) The member who presents a report to the House of the Standing Orders Committee may immediately move that it be set down on the notice paper as an order of the day for the next sitting.

- (2) If the House does not consider the report within 12 sitting days of tabling, the order of the day becomes the first government business order of the day for the next sitting day.

226A Engagement of staff

- (1) A committee may commission a person to investigate and report to the committee on any aspect of a proposal, matter or thing being inquired into or being considered by the committee.
- (2) With the consent of the Premier, a committee may make use of the services of an employee within the meaning of the *Public Administration Act 2004* for the purpose of investigating and reporting to the committee on any aspect of a proposal, matter or thing being inquired into or being considered by the committee.

226B Government responses

- (1) If a committee's report to the Parliament recommends that the Government take a particular action with respect to a matter, within six months of the report being tabled, the appropriate responsible minister must table a response to the committee's recommendations.
- (2) If a response is received by the Clerk on a day on which the House is not sitting, the Clerk must —
- (a) as soon as practicable after the response is received, notify each member of the House of the receipt of the report and advise that the report is available upon request; and
 - (b) give a copy of the response to any member of the House upon request to the Clerk; and
 - (c) cause the response to be tabled in the House on the next sitting day of the House.
- (3) A response received by the Clerk under subsection (2) is taken to have been published by authority of the Assembly.'
- (2) Standing Order 231 be omitted and replaced with the following:

'231 Documents and evidence not tabled

- (1) Committee records may be transferred by the Clerk to the Public Record Office, subject to the condition that they remain the property of the House.
- (2) The Speaker, subject to paragraph (3), may permit any person to examine and copy such documents or evidence.

- (3) If the documents or evidence were accepted by the committee on a confidential or restricted basis, disclosure will not take place unless the documents or evidence have been in the custody of the House for at least 30 years and, in the opinion of the Speaker, disclosure is appropriate.
- (4) A statement of any documents or evidence disclosed under paragraph (3) must be included in the annual report of the Department of the Legislative Assembly.’.

(3) These changes come into operation with effect from tomorrow

(Ms Allan) — after debate, put and agreed to.

9 **IRREGULAR BILLS — APPLICATION OF SO 60** — Motion made and question — That this House does not consider a bill to be irregular for the purposes of SO 60 if the clauses are not numbered consecutively due to clauses being inserted or omitted by an amendment in either House *(Ms Allan)* — after debate, put and agreed to.

10 **WEST GATE TUNNEL (TRUCK BANS AND TRAFFIC MANAGEMENT) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until members of this House are given access to an unredacted version of the West Gate Tunnel Project Agreement’ *(Ms Staley)* — and, after debate —

Business was interrupted at 11.00 am under sessional orders.

11 **QUESTION TIME** — (Under Sessional Order 9).

12 **WEST GATE TUNNEL (TRUCK BANS AND TRAFFIC MANAGEMENT) BILL 2019** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Amendment proposed to Ms Staley’s amendment — That after the word ‘Agreement’ the following words be inserted ‘and the Government develops and publishes the Transport Plan as required by s 63 of the *Transport Integration Act 2010*’ *(Mr Hibbins)* — and, after debate —

Motion made and question — That the debate be now adjourned *(Ms Williams)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2019 and suggesting amendments.

Ordered — That the suggested amendments be taken into consideration immediately.

- 14 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019** — Order read for the consideration of the amendments suggested by the Legislative Council.

After debate, the suggested amendments were made.

Bill returned to the Legislative Council with a message informing them accordingly.

- 15 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*) — *and on the amendment* — That the following words be added to the end of the motion 'but respectfully regret that the speech fails to outline effective measures to protect Victoria's natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians'; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Parliamentary Committees Amendment Bill 2019 — Not insisting on their amendment and agreeing to the Legislative Assembly amendments.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2019 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 18 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*) — *and on the amendment* — That the following words be added to the end of the motion 'but respectfully regret that the speech fails to outline effective measures to protect Victoria's natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians'; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 March 2019 had expired.

- 20 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this Bill be withdrawn and redrafted to provide for an increase in the guaranteed level of funding for rural, regional, outer suburban and interface communities from Better Roads Victoria funding and to ensure that such funding is not reduced over time by a reduction in the total funding pool’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **ENERGY LEGISLATION AMENDMENT (VICTORIAN DEFAULT OFFER) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **WEST GATE TUNNEL (TRUCK BANS AND TRAFFIC MANAGEMENT) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until members of this House are given access to an unredacted version of the West Gate Tunnel Project Agreement’ — *and on the amendment* — That after the word ‘Agreement’ the following words be inserted ‘and the Government

develops and publishes the Transport Plan as required by s 63 of the Transport Integration Act 2010’.

Question — That the words proposed by Mr Hibbins’ amendment be inserted into Ms Staley’s amendment — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 27

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Tim Read; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Russell Northe; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

Question — That the words proposed to be omitted by Ms Staley’s amendment stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 28

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Tim Read; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 56

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.19 pm under sessional orders.

- 23 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Acting Speaker left the Chair at 5.43 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 10, 11, 12, 13 and 14

No 10 — Tuesday 19 March 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE WILLIAM ALBERT LANDERYOU** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable William Albert Landeryou, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for the Province of Dootta Galla from 1976 to 1992, Minister for Economic Development and Minister for Tourism in 1982 and Minister for Industrial Affairs and Minister for Labour and Industry from 1982 to 1983 (*Mr Andrews*) — members addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Honourable William Albert Landeryou, the House now adjourns until 2.15 pm (*Mr Andrews*) — put and agreed to.

And the House, at 1.06 pm, adjourned until 2.15 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

**No 11 — Tuesday 19 March 2019
(2.15 pm)**

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **CHRISTCHURCH MOSQUES TERROR ATTACK** — Motion made, by leave, and question — That this House:
 - (1) Offers its deep and sincere condolences to the families, friends and loved ones of the innocent victims whose lives were tragically taken in the Christchurch mosques terror attack on 15 March 2019;

- (2) Sends a message of solidarity to Victoria's Muslim communities, and communities around the world;
- (3) Condemns all forms of violence and terrorism; and
- (4) Reaffirms its unwavering commitment to a strong multicultural and multifaith Victoria

(Mr Andrews) — members addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.

- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of support, sympathy and respect, the House now adjourns until 5.00 pm *(Mr Andrews)* — put and agreed to.

And the House, at 3.49 pm, adjourned until 5.00 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 12 — Tuesday 19 March 2019 (5.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2019** — Ms Neville obtained leave to bring in '*A Bill for an Act to make miscellaneous amendments to the **Water Act 1989** and the **Catchment and Land Protection Act 1994** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Kaufland Superstore Development — Requesting that the Legislative Assembly calls on the Minister for Planning to abandon any further consideration of the proposal to develop a Kaufland Superstore at 1158 Nepean Highway, Mornington, bearing 1239 signatures *(Mr Morris)*.

Ordered to be tabled.

5 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, presented the Alert Digest No 4 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Major Transport Projects Facilitation Amendment Bill 2019
Open Courts and Other Acts Amendment Bill 2019
Primary Industries Legislation Amendment Bill 2019
Professional Engineers Registration Bill 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Commissioner for Environmental Sustainability Victoria:

State of the Yarra and its Parklands — Report 2018
Victorian State of the Environment — Report 2018 (two documents)

Financial Management Act 1994 — 2018–19 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2018

Murray-Darling Basin Authority — Report 2017–18

Statutory Rules under the following Acts:

Residential Tenancies Act 1997 — SR 14

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 — SR 15

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 12, 14

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice (*Gazette S84, 8 March 2019*).

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Police and Other Matters) Bill 2019 without amendment.

7 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 13 March 2019

Justice Legislation Amendment (Police and Other Matters) Bill 2019
Parliamentary Committees Amendment Bill 2019

On 19 March 2019

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2019.

- 8 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Primary Industries Legislation Amendment Bill 2019
Professional Engineers Registration Bill 2019.

- 9 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 21 March 2019:

Audit Amendment Bill 2018
Essential Services Commission Amendment (Governance, Procedural and Administrative Improvements) Bill 2019
Major Transport Projects Facilitation Amendment Bill 2019
Open Courts and Other Acts Amendment Bill 2019

(Ms Allan) — after debate, put and agreed to.

- 10 **STATEMENTS BY MEMBERS** — Members made statements.

- 11 **ESSENTIAL SERVICES COMMISSION AMENDMENT (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 12 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 13 — Wednesday 20 March 2019

- 1 The Speaker took the Chair and read the Prayer.
- 2 **SALE OF LAND AMENDMENT BILL 2019** — Ms Kairouz obtained leave to bring in ‘A Bill for an Act to make various amendments to the **Sale of Land Act 1962** in relation to off-the-plan contracts, terms contracts, rent-to-buy arrangements and options to purchase land under land

banking schemes, to amend the ANZAC Day Act 1958 to impose restrictions on public auctions, and to amend the Estate Agents Act 1980 in respect of payments that may be made from the Victorian Property Fund and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Interim Height Limits for the Caulfield Electorate — Requesting that the Legislative Assembly calls on the Government to immediately reduce the interim height limits for the Caulfield electorate, bearing 1747 signatures (*Mr Southwick*)

Dairy Industry — Requesting that the Legislative Assembly invites Animal Justice Party member of the Legislative Council, Mr Andy Meddick, to visit dairy farms in the south-west region to learn and see for himself the enormous contribution they make towards good environmental outcomes through the management of erosion, invasive weeds and vermin and the care farmers have for their animals, bearing 730 signatures (*Ms Britnell*).

Petitions ordered to be tabled.

- 4 **PETITION — INTERIM HEIGHT LIMITS FOR THE CAULFIELD ELECTORATE** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.
- 5 **PETITION — DAIRY INDUSTRY** — Motion made and question — That the petition presented by the Member for South-West Coast be taken into consideration tomorrow (*Ms Britnell*) — put and agreed to.
- 6 **PETITION — KAUFELD SUPERSTORE DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Mornington on 19 March 2019 be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 7 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Commissioner for Environmental Sustainability Victoria — Strategic Audit: Implementation of environmental management systems in Victorian Government 2017–18

Crimes Act 1958 — Instrument of Authorisation under s 464Z

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Domain Parklands Reserve

Judicial Entitlements Panel — Advisory Opinion to the Attorney-General January 2019

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Greater Dandenong — GC123
 Macedon Ranges — C128
 Whittlesea — GC123
 Yarra — C261, C262
 Yarra Ranges — GC123

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Commercial Passenger Vehicle Industry Act 2017* — Determination of Fees.

- 8 **SENATOR FRASER ANNING** — Motion made, by leave, and question — That this House condemns Senator Fraser Anning for his hateful, dangerous and divisive response to the Christchurch mosques terror attack (*Mr Andrews*) —

The House granted leave for Mr O'Brien (Malvern) to move General Business, Notice of Motion, No 57, and for the motions to be debated concurrently.

Motion made and question — That this House — (1) condemns Senator Fraser Anning for his contemptible, hate-filled response to the Christchurch terrorist attack and his attempt to divide our community on the basis of religion; (2) calls on Senator Anning to resign; and (3) reaffirms Victoria as an inclusive and multicultural society (*Mr O'Brien, Malvern*) —

After debate, questions put and agreed to.

- 9 **STATEMENTS BY MEMBERS** — Members made statements.

- 10 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2019** — Ms Neville tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 3 April 2019.

- 11 **ESSENTIAL SERVICES COMMISSION AMENDMENT (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 12 **QUESTION TIME** — (Under Sessional Order 9).

- 13 **ESSENTIAL SERVICES COMMISSION AMENDMENT (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — RENEWABLE ENERGY GENERATION AND POWER PRICES** — The Speaker read Ms D'Ambrosio's proposal to the House —

'That this House notes the commitment under the Andrews Labor Government to increasing renewable energy generation and driving down power prices and further notes:

- (1) 30,000 Victorians have applied to take up solar panels under the Andrews Labor Government's solar homes program;
- (2) a 928 MW pipeline of new renewable power generation is being supported by the Victorian Renewable Energy Target;
- (3) the Victorian Default Offer is giving families and small businesses a fair price on energy; and
- (4) the failure of the federal Morrison Government in energy policy.'

Ms D'Ambrosio addressed the House — Discussion followed.

- 16 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*) — *and on the amendment* — That the following words be added to the end of the motion: 'but respectfully regret that the speech fails to outline effective measures to protect Victoria's natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians'; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.22 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 14 — Thursday 21 March 2019

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PUBLIC HOLIDAYS AMENDMENT BILL 2019** — Mr Pakula obtained leave to bring in ‘*A Bill for an Act to amend the **Public Holidays Act 1993** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Hawthorn to Box Hill Cycle/Pedestrian Path — Requesting that the Legislative Assembly construct a shared cycle/pedestrian path from the Yarra River at Hawthorn to Box Hill and that the Surrey Hills/Mont Albert level crossing removals on the route provide a level of service for walking and cycling equal to that provided for motorised vehicles, bearing 1844 signatures (*Mr Hamer*)

Electricity Supply for South and Central Gippsland — Requesting that the Legislative Assembly calls on the Minister for Energy, Environment and Climate Change to ask Ausnet Services how and when they intend to improve electricity supply to the communities of Carrajung Lower, Carrajung, Blackwarry and Callignee, bearing 58 signatures (*Mr O’Brien, Gippsland South*)

Foster Primary School — Requesting that the Legislative Assembly calls on the Government to fund the rebuild of Foster Primary School, bearing 35 signatures (*Mr O’Brien, Gippsland South*)

Korumburra Secondary College — Requesting that the Legislative Assembly calls on the Government to fund the completion of the Korumburra Secondary College rebuild project, bearing 40 signatures (*Mr O’Brien, Gippsland South*)

Princes Highway Duplication Project — Requesting that the Legislative Assembly calls on the Government to immediately fund the final two stages of the Princes Highway Duplication Project, bearing 426 signatures (*Mr O’Brien, Gippsland South*)

Wire Rope Barriers — Requesting that the Legislative Assembly calls on the Government to stop the rollout of wire rope barriers across Victorian roads until safety concerns are addressed and a more strategic approach adopted, bearing 264 signatures (*Mr O'Brien, Gippsland South*)

Fencing Materials for Farmers in the Ovens Valley — Requesting that the Legislative Assembly, through the Minister for Agriculture, commits to funding fencing materials up to \$10,000 per farm, for farmers in the Ovens Valley affected by the damaging weather event of 13 December 2018, bearing 67 signatures (*Mr McCurdy*).

Petitions ordered to be tabled.

- 4 **PETITION — ELECTRICITY SUPPLY FOR SOUTH AND CENTRAL GIPPSLAND** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 5 **PETITION — FOSTER PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 6 **PETITION — KORUMBURRA SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 7 **PETITION — PRINCES HIGHWAY DUPLICATION PROJECT** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 8 **PETITION — WIRE ROPE BARRIERS** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 9 **PETITION — FENCING MATERIALS FOR FARMERS IN THE OVENS VALLEY** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Access to Mental Health Services — Ordered to be published

Family Violence Reform Implementation Monitor — Report 1 November 2018 — Ordered to be published

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2017–18

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 15

Documents under s 16B in relation to:

Gambling Regulation Act 2003 — Determination of Gaming Machine Entitlement Allocation and Transfer Rules

National Electricity (Victoria) Act 2005 — Ministerial Order

Victoria Police — Report 2017–18 under s 133 of the *Criminal Organisations Control Act 2012*.

- 11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 30 April 2019 (*Ms Allan*) — put and agreed to.

- 12 **STATEMENTS BY MEMBERS** — Members made statements.

Ms Ryan presented a petition requesting that the Government order new trains immediately on the north east, Seymour and Shepparton lines in order to reduce travel times and improve punctuality and reliability on the lines, bearing 139 signatures.

- 13 **SALE OF LAND AMENDMENT BILL 2019** — Ms Kairouz tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Battin*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 4 April 2019.

- 14 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*) — *and on the amendment* — That the following words be added to the end of the motion: 'but respectfully regret that the speech fails to outline effective measures to protect Victoria's natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians'; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 15 **QUESTION TIME** — (Under Sessional Order 9).

- 16 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Debate resumed on question — That the Address and amendment (*as detailed above*) be agreed to by this House.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **AUDIT AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:

- (1) Ms Allan, Ms Hennessy, Mr Merlino, Mr Pakula, Mr Smith (*Warrandyte*), Mr Walsh and Mr Wells be members of the **Dispute Resolution Committee**.
- (2) Ms Addison, Mr Blackwood, Ms Connolly, Mr Eren, Mr Rowswell, Ms Ryan and Ms Theophanous be members of the **Economy and Infrastructure Standing Committee**.
- (3) Mr Cheeseman, Mr Fowles, Ms Green, Mr Hamer, Mr McCurdy, Mr Morris and Mr Smith (*Kew*) be members of the **Environment and Planning Standing Committee**.
- (4) Mr Bull (*Gippsland East*), Ms Crugnale, Ms Edwards, Mr Fregon, Ms Sandell and Ms Staley be members of the **House Committee**.
- (5) Mr Halse, Mr McGhie, Mr Rowswell, Mr Taylor and Mr Wells be members of the **Integrity and Oversight Committee**.
- (6) Ms Couzens, Ms Kealy, Mr Newbury, Ms Settle, Ms Suleyman, Mr Tak and Mr Tilley be members of the **Legal and Social Issues Standing Committee**.
- (7) A select committee be appointed to inquire into and report upon complaints of breach of privilege referred to it by the House, right of reply applications referred under SO 227 and any other matter referred to it by the House; and Ms Allan, Mr Guy, Ms Hennessy, Mr McGuire, Mr Morris, Ms Neville, Mr Pakula, Ms Ryan and Mr Wells be members of the **Privileges Committee**.

(8) Mr Hibbins, Mr Maas, Mr O'Brien (*Gippsland South*), Ms Richards, Mr Richardson, Mr Riordan and Ms Vallence be members of the **Public Accounts and Estimates Committee**.

(9) A select committee be appointed to consider and report upon the standing orders and practices of the House; and the Speaker, Ms Allan, Ms Edwards, Ms Halfpenny, Ms McLeish, Ms Sheed, Mr Staikos, Ms Staley and Mr Walsh be members of the **Standing Orders Committee**

(*Ms Allan*) — after debate, put and agreed to.

20 **AUDIT AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 March 2019 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

21 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

22 **ESSENTIAL SERVICES COMMISSION AMENDMENT (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

23 **MAJOR TRANSPORT PROJECTS FACILITATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 24 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.25 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 15, 16, 17 and 18

No 15 — Tuesday 30 April 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF GIOVANNI ANTONIO SGRO** — The Speaker announced the death of Giovanni Antonio Sgro, Member of the Legislative Council for the Province of Melbourne North from 1979 to 1992; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **PORT CAMPBELL LIFESAVERS** — By leave, members made statements about Ross Powell and Andrew Powell, who died while rescuing a tourist near Port Campbell on Sunday 21 April 2019; and members rose in their places as a further mark of respect to the memory of the deceased.
- 4 **SRI LANKA TERROR ATTACKS** — Motion made, by leave, and question — That this House:
 - (1) offers its deep and sincere condolences to the families, friends and loved ones of the innocent victims whose lives were tragically taken in the Sri Lankan bombings on Easter Sunday 21 April 2019;
 - (2) extends its sympathy and support to the families, friends and loved ones of the Victorian victims;
 - (3) sends a message of solidarity to Victoria's Sri Lankan community, and communities around the world;
 - (4) condemns all forms of violence and terrorism; and
 - (5) reaffirms its unwavering commitment to a strong multicultural and multifaith Victoria

(Mr Andrews) — members and the Speaker addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 5 **ADJOURNMENT** — Motion made, by leave, and question — That, as a further mark of respect to the memory of the Port Campbell lifesavers and the victims of the Sri Lankan bombings, the House now adjourns until 3.30 pm *(Mr Andrews)* — put and agreed to.

And the House, at 2.14 pm, adjourned until 3.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 16 — Tuesday 30 April 2019 (3.30 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2019** — Mr Pallas obtained leave to bring in ‘A Bill for an Act to amend the **Owner Drivers and Forestry Contractors Act 2005** and for other purposes’; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2019** — Mr Foley obtained leave to bring in ‘A Bill for an Act to amend the **Public Health and Wellbeing Act 2008** in relation to HIV testing and to make minor miscellaneous amendments and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Hawthorn to Box Hill Cycle/Pedestrian Path — Requesting that the Legislative Assembly constructs a shared cycle/pedestrian path from the Yarra River at Hawthorn to Box Hill, and that the Surrey Hills/Mont Albert level crossing removals on the route provide a level of service for walking and cycling equal to that provided for motorised vehicles, bearing 18 signatures (*Mr Hamer*)

Skyrail on the Upfield Train Line — Requesting that the Legislative Assembly abandons plans for an elevated skyrail on the Upfield line, and continue with level crossing removal works by putting rail under the road, bearing 809 signatures (*Dr Read*)

Kaufland Superstore Development — Requesting that the Legislative Assembly calls on the Minister for Planning to abandon any further consideration of the proposal to develop a Kaufland Superstore at 1158 Nepean Highway, Mornington, bearing 545 signatures (*Mr Morris*).

Petitions ordered to be tabled.

6 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny presented the Alert Digest No 5 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Justice Legislation Miscellaneous Amendment Act 2018 (House Amendment)
Professional Engineers Registration Bill 2019
Sale of Land Amendment Bill 2019
Water and Catchment Legislation Amendment Bill 2019
West Gate Tunnel (Truck Bans and Traffic Management) Bill 2019

together with appendices.

Ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Riordan, Deputy Chair, presented a report from the Public Accounts and Estimates Committee on the appointment of a person to conduct the financial audit of the Victorian Auditor-General's Office, together with an appendix.

Ordered to be published.

REPORT OF PARLIAMENTARY BUDGET OFFICE OPERATIONS — Mr Riordan, Deputy Chair, Public Accounts and Estimates Committee, presented the Report of PBO operations for the 2018 Victorian general election.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Ombudsman — Fines Victoria complaints — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — GC122
Ballarat — GC122
Bayside — C150
Boroondara — C309
Brimbank — C205
Casey — C204, GC120
Golden Plains — GC122
Hepburn — GC122
Hindmarsh — GC122
Horsham — GC122

Hume — GC120
 Knox — C164, C172
 Melbourne — C347, C351
 Mildura — C100 Part 2
 Mitchell — C123
 Moorabool — GC122
 Mornington Peninsula — C216, C251
 Northern Grampians — GC122
 Pyrenees — GC122
 Southern Grampians — C51
 Stonnington — C283
 Surf Coast — C120
 Victoria Planning Provisions — VC156, VC157
 West Wimmera — GC122
 Whittlesea — C217, C223
 Wodonga — C121
 Yarriambiack — GC122

Statutory Rules under the following Acts:

Corrections Act 1986 — SR 27
County Court Act 1958 — SRs 28, 29
Electricity Safety Act 1998 — SR 17
Fines Reform Act 2014 — SR 16
Freedom of Information Act 1982 — SR 25
Magistrates' Court Act 1989 — SR 24
Members of Parliament (Standards) Act 1978 — SR 23
Supreme Court Act 1986 — SRs 19, 20, 21
Transport (Compliance and Miscellaneous) Act 1983 — SR 22
Victorian Civil and Administrative Tribunal Act 1998 — SR 18
Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 — SR 26

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 2, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29

Documents under s 16B in relation to:

Gambling Regulation Act 2003 — Notice under section 3.6.5A, fixing the value of the supervision charge

National Electricity (Victoria) Act 2005 — 2019 Ministerial Order under s 16BA.

PROCLAMATIONS — The Clerk tabled the following proclamations fixing operative dates under Sessional Order 16:

Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017 — Section 109 — 1 May 2019; ss 100, 104 and 108 — 3 June 2019 (*Gazette S145, 16 April 2019*)

Justice Legislation Amendment (Access to Justice) Act 2018 — Remaining provisions of Part 6 — 12 April 2019 (*Gazette S135, 9 April 2019*)

Justice Legislation Amendment (Family Violence Protection and Other Matters) Act 2018 — Sections 15, 19, 23, 32, 33 and 34, Parts 2 and 5 (other than sections 72, 73, 74 and 75) and Division 1 of Part 4 — 29 March 2019 (*Gazette S114, 26 March 2019*)

Residential Tenancies Amendment Act 2018 — Part 1, ss 5(6), 123, 124 and 235 and Division 1 of Part 17 — 3 April 2019 (*Gazette S128, 2 April 2019*).

- 7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Energy Legislation Amendment (Victorian Default Offer) Bill 2019

Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018

West Gate Tunnel (Truck Bans and Traffic Management) Bill 2019.

- 8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 26 March 2019, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Energy Legislation Amendment (Victorian Default Offer) Bill 2019

Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018

West Gate Tunnel (Truck Bans and Traffic Management) Bill 2019.

- 9 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Water and Catchment Legislation Amendment Bill 2019.

- 10 **ELECTORAL MATTERS COMMITTEE** — Motion made, by leave, and question — That Ms Blandthorn, Ms Hall, Dr Read and Ms Spence be members of the Electoral Matters Committee (*Ms Allan*) — put and agreed to.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following items be considered and completed by 5.00 pm on Thursday 2 May 2019:

Address-in-Reply to the Governor’s Speech

Guardianship and Administration Bill 2018

Professional Engineers Registration Bill 2019

Sale of Land Amendment Bill 2019

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 57

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt

Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

12 **STATEMENTS BY MEMBERS** — Members made statements.

13 **PUBLIC HOLIDAYS AMENDMENT BILL 2019** — Mr Pakula tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Tuesday 14 May 2019.

14 **SALE OF LAND AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

15 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 17 — Wednesday 1 May 2019

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION — KAUFLAND SUPERSTORE DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Mornington on 30 April 2019 be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.

3 **DOCUMENTS**

UNIVERSITY OF DIVINITY — Report 2018 tabled by leave (*Mr Merlino*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Bendigo Kangan Institute — Report 2018

Box Hill Institute — Report 2018

Centre for Adult Education — Report 2018

Chisholm Institute — Report 2018

Deakin University — Report 2018

Falls Creek Alpine Resort Management Board — Report 2018

Federation Training — Report 2018

Federation University Australia — Report 2018

GOTEC Ltd (The Gordon) — Report 2018

Goulburn Ovens Institute of TAFE (GOTAFE) — Report 2018

Holmesglen Institute — Report 2018

La Trobe University — Report 2018

Melbourne Polytechnic — Report 2018

Monash University — Report 2018

Mount Buller and Mount Stirling Alpine Resort Management Board — Report 2018

Mount Hotham Alpine Resort Management Board — Report 2018

Municipal Association of Victoria — Report 2017–18

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C289
 Casey — C261
 Greater Geelong — C386
 Hobsons Bay — C125
 Kingston — C159
 Melton — C199, C200
 Mitchell — C127
 Moonee Valley — C204
 Surf Coast — C118
 Yarra — C225

Royal Melbourne Institute of Technology (RMIT University) — Report 2018

South West Institute of TAFE — Report 2018

Southern Alpine Resort Management Board — Report 2018

Sunraysia Institute of TAFE (SuniTAFE) — Report 2018

Swinburne University of Technology — Report 2018

University of Melbourne — Report 2018

Victoria University — Report 2018

William Angliss Institute of TAFE — Report 2018

Wodonga Institute of TAFE — Report 2018.

4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Fair Work (Commonwealth Powers) Amendment Bill 2018 without amendment.

5 **FINANCIAL AUDIT OF THE AUDITOR-GENERAL** — Motion made, by leave, and question — That:

(1) Under s 17 of the *Audit Act 1994*, Mr Geoff Parker of Nexia Melbourne be appointed for a period of one year:

(a) to conduct the financial audit of the Victorian Auditor-General's Office for the financial year ending 30 June 2019;

(b) in accordance with the Agreement for the provision of services for the financial audit of the Victorian Auditor-General's Office (Year ending 30 June 2019), in

Appendix 1 of the Public Accounts and Estimates Committee's Report on the appointment of a person to conduct the financial audit of the Victorian Auditor-General's Office (PP 24, 2018–19); and

- (c) at a fixed fee level of remuneration of \$38,000 (plus GST) for audit services for the year ending 30 June 2019.

- (2) A message be sent to the Legislative Council requesting their agreement

(Ms Allan) — put and agreed to.

6 **COMMITTEE REFERENCES** — Motion made, by leave, and question — That this House refers:

- (1) an inquiry into the social and economic benefits of seeking to place disadvantaged jobseekers into sustainable employment to the **Economy and Infrastructure Committee** for consideration and report no later than 30 June 2020;
- (2) an inquiry into disabled learners' access to TAFE to the **Economy and Infrastructure Committee** for consideration and report no later than 31 December 2020;
- (3) an inquiry into what urban, rural and regional communities in Victoria are doing to tackle climate change and how the Victorian Government could support these communities to the **Environment and Planning Committee** for consideration and report no later than 30 June 2020; and
- (4) an inquiry into the current and future arrangements to secure environmental infrastructure, particularly parks and open space, for a growing population in Melbourne and across regional centres to the **Environment and Planning Committee** for consideration and report no later than 31 December 2020

(Ms Allan) — put and agreed to.

7 **STATEMENTS BY MEMBERS** — Members made statements.

8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

9 **PARLIAMENTARY INTEGRITY ADVISER** — Motion made and question — That this House establishes the position of Parliamentary Integrity Adviser in accordance with the following terms:

- (1) **Provision of advice**
 - (a) The Parliamentary Integrity Adviser is to advise any member of Parliament, including former members of Parliament, when asked to do so by that member, on ethical issues and integrity matters concerning the exercise of his or her role as a member of Parliament.

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- (b) The Parliamentary Integrity Adviser's advice may be sought on a range of parliamentary matters including, but not limited to, the application of any legislation or other guidelines adopted by Parliament that are relevant to members in their capacity as members of Parliament, the use of members' entitlements and declaration of potential conflicts of interest.
 - (c) Any advice given by the Parliamentary Integrity Adviser should be consistent with legislation, regulations and any other rules or guidelines adopted by Parliament, but must not constitute legal advice.
- (2) **Education and training**
- (a) The Parliamentary Integrity Adviser is to provide periodic education and training to members of Parliament about ethical issues and integrity matters concerning, but not limited to, the functions, roles, powers, and responsibilities of members of Parliament.
 - (b) The Parliamentary Integrity Adviser must provide —
 - (i) training to new members of Parliament at the start of each Parliament;
 - (ii) training to new members of Parliament who are elected at a by-election or appointed to fill a casual vacancy; and
 - (iii) training on any amendments or changes to the parliamentary standards and integrity system.
- (3) **Records**
- (a) The Parliamentary Integrity Adviser is required to keep, for the duration of his or her tenure, a record of all advice given, including any supporting material and information upon which the advice is based.
 - (b) Subject to (3)(e)(ii), the Parliamentary Integrity Adviser must not divulge, to any person, entity or committee of either House, other than the person who requested the advice —
 - (i) any information provided to him or her in the course of his or her duties under this Resolution;
 - (ii) the content or details of any advice given in accordance with this Resolution —

unless the person who requested the advice has given express permission for such information and/or advice to be made public.
 - (c) The Parliamentary Integrity Adviser must not comply with any order for the production of records by either House relating to advice given by the Parliamentary Integrity Adviser unless the person who requested the advice —

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- (i) is a member or former member of the House that made the order; and
 - (ii) in the case of advice given under (1)(a)–(c), has sought to rely on the advice for any reason; and
 - (iii) has given express permission for the records to be released to the relevant House.
- (d) Subject to 3(e), if the Parliamentary Integrity Adviser considers that the confidential advice provided to a member or former member has been publicly misrepresented, the Parliamentary Integrity Adviser may release a statement to correct the misrepresentation.
- (e) In releasing a statement under (3)(d), the Parliamentary Integrity Adviser —
- (i) must not publicise the advice provided unless the person who requested the advice has given express permission for it to be made public; or
 - (ii) if the person who requested the advice refuses permission for it to be made public, may release the advice to the Privileges Committee of the relevant House if that Committee makes a request as part of a related inquiry connected to that person.
- (4) **Reporting**
- (a) At least once every 12 months, the Parliamentary Integrity Adviser will meet jointly with the Privileges Committees of the Assembly and the Council to discuss matters relevant to and issues arising from the operation and application of the parliamentary standards framework.
- (b) The Parliamentary Integrity Adviser must, every 12 months, report to the Parliament on —
- (i) advisory functions including —
 - (A) the number of ethical matters raised during the reporting period;
 - (B) the number of members and former members who sought advice during the reporting period;
 - (C) the number of times advice was given during the reporting period; and
 - (D) the amount of time spent in the course of performing duties under the terms of this Resolution during the reporting period; and
 - (ii) education functions including —
 - (A) the number of training sessions provided during the reporting period, and the number of members who attended each training session; and

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- (B) a brief description of the content of training sessions and any other training provided during the reporting period.
 - (c) The Parliamentary Integrity Adviser may, at his or her discretion, report to the Parliament from time to time on —
 - (i) any issues with the parliamentary standards framework arising from requests for ethics or integrity advice, including suggested proposals to address such issues;
 - (ii) the provision of guidance to members of Parliament on particular issues, including publication of de-identified case studies in order to educate members on their obligations;
 - (iii) any other matter the Parliamentary Integrity Adviser considers appropriate.
 - (d) A report of the Parliamentary Integrity Adviser under (4)(b) or (4)(c) —
 - (i) will be tabled in each House; and
 - (ii) must not divulge or cause to be divulged the identity of any person who has requested advice in accordance with this Resolution.
 - (e) A House or committee of the Parliament cannot —
 - (i) refer a matter to the Parliamentary Integrity Adviser;
 - (ii) require the Parliamentary Integrity Adviser to report on the conduct of a specific member or former member, or a specified group of members and/or former members, of Parliament; or
 - (iii) require the Parliamentary Integrity Adviser to investigate any allegations of misconduct.
- (5) **Appointment, resignation and removal**
- (a) A person will be appointed by resolution of the Council and the Assembly, on the joint recommendation of the Privileges Committees of the Council and the Assembly in accordance with (5)(c), as Parliamentary Integrity Adviser.
 - (b) An appointment under (5)(a) must —
 - (i) subject to (5)(b)(iii), be made whenever the position becomes vacant; and
 - (ii) be for a period that terminates on the day that is four months after the general election that is held immediately following the Parliament during which the appointment is made; and

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- (iii) in the case of the first appointment of the Parliamentary Integrity Adviser, be made within four months after this Resolution has been agreed to by both Houses.
 - (c) Prior to a resolution under (5)(a), a joint report of the Privileges Committees of the Council and the Assembly will be tabled in each House specifying —
 - (i) a person recommended for appointment as Parliamentary Integrity Adviser; and
 - (ii) the terms and conditions of appointment of the Parliamentary Integrity Adviser, including any remuneration, as agreed in consultation with the Speaker and the President.
 - (d) If, within three months of the position becoming vacant, the Privileges Committees of the Council and the Assembly fail to report under (5)(c), a joint sitting of Parliament in accordance with JSO 22 will be held to appoint a person as Parliamentary Integrity Adviser on the terms and conditions, including any remuneration, agreed by the Speaker and the President.
 - (e) The Parliamentary Integrity Adviser may engage in any outside employment that does not conflict with his or her role as Parliamentary Integrity Adviser.
 - (f) The Parliamentary Integrity Adviser may resign in writing to the President and the Speaker.
 - (g) The Parliamentary Integrity Adviser may be removed from office by resolution of the Council and the Assembly for —
 - (i) insolvency; or
 - (ii) proven misbehaviour; or
 - (iii) mental incapacity.
 - (h) Prior to a resolution under (5)(g), the Privileges Committees of the Council and the Assembly must meet and confer jointly on the alleged grounds for removal and, if the grounds are found to be valid, make a joint recommendation to Parliament that the Parliamentary Integrity Adviser be removed from office.
 - (i) A joint recommendation under (5)(h) will —
 - (i) be tabled in each House; and
 - (ii) include the reasons for the recommendation unless the Privileges Committees agree that it would be contrary to the public interest to do so.

- (j) The Parliamentary Integrity Adviser may be suspended from office whilst any alleged grounds for removal from office are dealt with under the terms of this Resolution.
- (6) **Review**
The Privileges Committees of the Council and the Assembly must, in the final year of each Parliament —
- (a) cause a joint review to be made of the operation of this Resolution; and
- (b) table a report of the review in each House before the expiration of the Assembly under section 38 of the *Constitution Act 1975*.
- (7) **Privileges Committee**
- (a) The Privileges Committee of this House is authorised and required to meet and confer jointly with the Privileges Committee of the other House for the purposes of exercising its role, functions and powers in accordance with the terms of this Resolution.
- (b) The provisions relating to the role, functions and powers of the Privileges Committee under the terms of this Resolution constitute a standing reference to the Committee for the Parliament during which its members are appointed until the dissolution or other lawful determination of the Assembly.
- (c) For the purposes of joint meetings of the Privileges Committees of the Council and the Assembly under the terms of this Resolution —
- (i) the Chair of the Assembly Privileges Committee and the Chair of the Council Privileges Committee are joint chairs; and
- (ii) meetings shall be chaired by the joint chairs on an alternating basis; and
- (iii) a joint chair shall take the Chair whenever the other joint chair is not present; and
- (iv) every Committee member shall have a deliberative vote only; and
- (v) the Standing Orders of the Assembly shall otherwise apply insofar as they are not inconsistent with the terms of this Resolution.

and this Resolution shall continue in force unless and until it is amended or rescinded by a resolution of the Council and the Assembly in this or a subsequent Parliament

(Ms Allan) — after debate, put and agreed to.

- 10 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2019** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 15 May 2019.

- 11 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2019** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 15 May 2019.

- 12 **PROFESSIONAL ENGINEERS REGISTRATION BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 13 **QUESTION TIME** — (Under Sessional Order 9).

- 14 **PROFESSIONAL ENGINEERS REGISTRATION BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until:

- (1) the legislative impact assessment/cost-benefit analysis, including details of the additional cost to individual engineers and infrastructure projects, is publicly released;
- (2) the potential negative effect of the proposed scheme on rural communities by restricting access to engineering services is identified and addressed; and
- (3) the Government holds an inquiry into regulatory failures of flammable cladding’

(Ms Staley) — and, after debate —

Business was interrupted at 2.00 pm under sessional orders.

15 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

16 **PROFESSIONAL ENGINEERS REGISTRATION BILL 2019** — Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned *(Mr Foley)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

17 **SALE OF LAND AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Mr Carroll)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

18 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.31 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 18 — Thursday 2 May 2019

1 The Speaker took the Chair and read the Prayer.

2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

AGL Floating Gas Terminal at Crib Point — Requesting that the Legislative Assembly rejects AGL's proposal to transport liquid natural gas to a Floating Storage Regasification Unit moored to the Crib Point jetty on Westernport Bay, bearing 918 signatures *(Mr Burgess)*.

Ordered to be tabled.

- 3 **PETITION — AGL FLOATING GAS TERMINAL AT CRIB POINT** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

4 **DOCUMENTS**

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Ms Hennessy presented by Command of the Governor:

Magistrates' Court of Victoria Report 2016–17

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Outcomes of Investing in Regional Victoria — Ordered to be published

Australian Crime Commission — Report 2017–18 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Independent Broad-based Anti-corruption Commission:

Report 2017–18 under s 30L of the *Surveillance Devices Act 1999*

Report 2017–18 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 8

Victoria Police:

Report 2017–18 under s 30L of the *Surveillance Devices Act 1999*

Report 2017–18 under s 31 of the *Crimes (Assumed Identities) Act 2004*.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Assembly's resolution on 1 May 2019 appointing Mr Geoff Parker to conduct the financial audit of the Victorian Auditor-General's Office.
- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Monday 27 May 2019 at 12.00 noon (*Ms Allan*) — after debate, put and agreed to.
- 7 **STATEMENTS BY MEMBERS** — Members made statements.

8 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made and question proposed — That so much of standing and sessional orders be suspended on 27, 28 and 29 May 2019 to allow:

- (1) The House to meet at 12.00 noon on Monday, and at 9.30 am on Tuesday and Wednesday.
- (2) The order of business on Monday and Tuesday to be:

Monday

Question time
 Formal business
 Statements by members
 Government business

Tuesday

Formal business
 Statements by members
 Government business
 Question time (11.00 am)
 Government business *continued*.

- (3) Precedence to be given to condolences under SO 42 on Wednesday, instead of Tuesday.
- (4) The Speaker to interrupt business under Sessional Order 2 at:
 - (a) 7.00 pm on Monday and Tuesday; and
 - (b) 5.00 pm on Wednesday

(Ms Allan) — and, after debate —

Business was interrupted at 11.00 am under sessional orders.

9 **QUESTION TIME** — (Under Sessional Order 9).

10 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Debate continued on question — That the motion be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; Lisa Neville; Tim Pallas; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick

Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 22

Neil Angus; Brad Battin; Gary Blackwood; Tim Bull; Neale Burgess; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Kim Wells.

Question agreed to.

- 11 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of items under the resolution of the House on Tuesday 30 April 2019 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **PROFESSIONAL ENGINEERS REGISTRATION BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until: (1) the legislative impact assessment/cost-benefit analysis, including details of the additional cost to individual engineers and infrastructure projects, is publicly released; (2) the potential negative effect of the proposed scheme on rural communities by restricting access to engineering services is identified and addressed; and (3) the Government holds an inquiry into regulatory failures of flammable cladding'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 22

Neil Angus; Brad Battin; Gary Blackwood; Tim Bull; Neale Burgess; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 22

Neil Angus; Brad Battin; Gary Blackwood; Tim Bull; Neale Burgess; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **SALE OF LAND AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 27, 19 December 2018*) — *and on the amendment* — That the following words be added to the end of the motion 'but respectfully regret that the speech fails to outline effective measures to protect Victoria's natural environment and endangered plants and animals, nor address the urgent water, climate and extinction crises that affect all Victorians'.

Question — That such words be added — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 2

Sam Hibbins; Tim Read.

NOES 72

Juliana Addison; Jacinta Allan; Neil Angus; Brad Battin; Gary Blackwood; Lizzie Blandthorn; Josh Bull; Tim Bull; Neale Burgess; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; Emma Kealy; John Kennedy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; Cindy McLeish; David Morris; Lisa Neville; James Newbury; Russell Northe; Danny O’Brien; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Richard Riordan; Brad Rowswell; Steph Ryan; Robin Scott; Suzanna Sheed; Tim Smith; David Southwick; Ros Spence; Nick Staikos; Louise Staley; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Bill Tilley; Bridget Vallence; Nick Wakeling; Vicki Ward; Kim Wells; Gabrielle Williams; Richard Wynne.

Question defeated.

Original question put, and Address agreed to.

Business was interrupted at 5.16 pm under sessional orders.

- 15 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.39 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 19, 20 and 21

No 19 — Monday 27 May 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **STATE TAXATION ACTS AMENDMENT BILL 2019** — Mr Pallas obtained leave to bring in ‘*A Bill for an Act to amend the **Duties Act 2000**, the **Land Tax Act 2005**, the **Payroll Tax Act 2007** and the **Valuation of Land Act 1960** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Pedestrian Crossing, Ballarat Road, Maidstone — Requesting that the Legislative Assembly takes action to ensure a pedestrian crossing button is installed near 59 Ballarat Road, Maidstone, bearing 420 signatures (*Ms Hall*).

Ordered to be tabled.

5 **DOCUMENTS**

BUDGET PAPERS 2019–20 —

Budget Paper No 1 — Treasurer’s Speech
Budget Paper No 4 — State Capital Program
Budget Overview
Budget Information Paper — Rural and Regional
Budget Information Paper — Suburban
Budget Information Paper — Gender Equality Budget Statement

tabled by leave (*Mr Pallas*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny presented the Alert Digest No 6 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Owner Drivers and Forestry Contractors Amendment Bill 2019
Public Health and Wellbeing Amendment Bill 2019
Public Holidays Amendment Bill 2019
Sale of Land Amendment Bill 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Compliance with the Asset Management Accountability Framework — Ordered to be published

Local Government Assets: Asset Management and Compliance — Ordered to be published

Reporting on Local Government Performance — Ordered to be published

Border Groundwaters Agreement Review Committee — Report 2017–18

Crown Land (Reserves) Act 1978 — Orders under ss 17B and 17D granting licences and a lease over Gasworks Park Reserve (three orders)

Duties Act 2000 — Report 1 July to 31 December 2018 of Foreign Purchaser Additional Duty Exemptions under s 3E

Education and Training Reform Act 2006 — Order under s 3.1.11

Financial Management Act 1994:

2019–20 Budget Paper No 2 — Strategy and Outlook

2019–20 Budget Paper No 3 — Service Delivery

2019–20 Budget Paper No 5 — Statement of Finances (incorporating Quarterly Financial Report No 3)

Land Tax Act 2005 — Report 1 July to 31 December 2018 of Land Tax Absentee Owner Surcharge Exemptions under ss 3B and 3BA

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by members of the Legislative Assembly — Primary returns 17 April 2019 — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Bass Coast — C155

Baw Baw — C135

Bayside — GC125

Benalla — C38

Boroondara — C285, C293, C315

Brimbank — GC125

Casey — C257

Darebin — GC125
French Island and Sandstone Island — C6 Part 1
Glen Eira — C187, GC125
Greater Dandenong — GC125
Greater Shepparton — C216
Knox — GC125
Manningham — C122
Maroondah — C127, GC125
Melbourne — C298
Mildura — C95
Monash — GC125
Mornington Peninsula — GC125
Murrindindi — C63
Wellington — C105
Whitehorse — C215, GC125
Whittlesea — C200
Yarra Ranges — C164

Professional Standards Act 2003:

Australian Computer Society Professional Standards Scheme (*Gazette G19, 9 May 2019*)
Bar Association of Queensland Professional Standards Scheme (*Gazette G16, 18 April 2019*)
Law Society of Western Australia Professional Standards Scheme (*Gazette G16, 18 April 2019*)
Victorian Bar Professional Standards Scheme (*Gazette G16, 18 April 2019*)

Statutory Rules under the following Acts:

Crimes Act 1958 — SR 34
Fundraising Act 1998 — SR 35
Magistrates' Court Act 1989 — SR 32
State Superannuation Act 1988 — SR 33
Subordinate Legislation Act 1994 — SR 30
Transfer of Land Act 1958 — SR 31

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 27, 32, 35

Wildlife Act 1975:

Wildlife (Prohibition of Game Hunting) Amendment Notice (*Gazette S174, 10 May 2019*)
Wildlife (Prohibition of Game Hunting) Notice (*Gazette S181, 14 May 2019*).

6 MESSAGES FROM THE LEGISLATIVE COUNCIL — Agreeing to the following bills without amendment:

Major Transport Projects Facilitation Amendment Bill 2019
Open Courts and Other Acts Amendment Bill 2019.

- 7 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 7 May 2019, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Fair Work (Commonwealth Powers) Amendment Bill 2018
 Major Transport Projects Facilitation Amendment Bill 2019
 Open Courts and Other Acts Amendment Bill 2019.

- 8 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (2019–2020) Bill 2019, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2019/2020.

Estimates ordered to be tabled.

- 9 **APPROPRIATION (2019–2020) BILL 2019** — Mr Pallas obtained leave to bring in ‘*A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2019/2020 and for other purposes*’; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Mr Dimopoulos*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2019–2020) Bill 2019, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2019/2020.

Estimates ordered to be tabled.

- 11 **APPROPRIATION (PARLIAMENT 2019–2020) BILL 2019** — Ms Allan obtained leave to bring in ‘*A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2019/2020 and for other purposes*’; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2) —

(1) the Order of the Day, Government Business, relating to the Appropriation (2019–2020) Bill 2019 be considered and completed by 4.00 pm on Tuesday 28 May 2019; and

(2) the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Wednesday 29 May 2019:

Appropriation (Parliament 2019–2020) Bill 2019
Public Health and Wellbeing Amendment Bill 2019
State Taxation Acts Amendment Bill 2019

(*Ms Allan*) — after debate, put and agreed to.

13 **STATEMENTS BY MEMBERS** — Members made statements.

14 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under the resolution of the House on Thursday 2 May 2019.

15 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 20 — Tuesday 28 May 2019

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Essendon North Primary School — Requesting that the Legislative Assembly calls on the Government to reverse the funding cut for asbestos removal in Victorian schools, ensure

funding for the removal of asbestos continues past 30 June 2019, and adequately and urgently fund Essendon North Primary School to ensure the school is free from asbestos, bearing 66 signatures (*Ms McLeish*)

T-intersection Westwood Drive and Nicol Avenue, Burnside — Requesting that the Legislative Assembly considers putting a set of traffic lights at the T-intersection at Westwood Drive and Nicol Avenue, Burnside, bearing 656 signatures (*Ms Kairouz*).

Petitions ordered to be tabled.

- 3 **PETITION — ESSENDON NORTH PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Liquor Control Reform Act 1998 — Report 2016–17 under s 148R

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Frankston — C132

Kingston — C163

Manningham — C104

Maribyrnong — C155, C156

Whittlesea — C229

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 34.

- 5 **COMMITTEE REFERENCES** — Motion made, by leave, and question — That this House refers:

- (1) an inquiry into early childhood engagement of culturally and linguistically diverse communities to the **Legal and Social Issues Committee** for consideration and report no later than 30 June 2020;
- (2) an inquiry into support services and responses to the issue of historical forced adoptions in Victoria to the **Legal and Social Issues Committee** for consideration and report no later than 31 December 2020; and
- (3) an inquiry into the conduct of the 2018 Victorian State Election to the **Electoral Matters Committee** for consideration and report no later than 1 June 2020

(*Ms Allan*) — put and agreed to.

- 6 **STATEMENTS BY MEMBERS** — Members made statements.

- 7 **STATE TAXATION ACTS AMENDMENT BILL 2019** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 8 **APPROPRIATION (2019–2020) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under the resolution of the House on Thursday 2 May 2019.

- 9 **QUESTION TIME** — (Under Sessional Order 9).

- 10 **APPROPRIATION (2019–2020) BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of the bill under the resolution of the House on Monday 27 May 2019 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **APPROPRIATION (PARLIAMENT 2019–2020) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Horne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Audit Amendment Bill 2018

Sale of Land Amendment Bill 2019.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Guardianship and Administration Bill 2018 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 14 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 15 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under the resolution of the House on Thursday 2 May 2019.

- 16 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.22 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 21 — Wednesday 29 May 2019

- 1 The Speaker took the Chair and read the Prayer.
- 2 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019** — Ms Neville obtained leave to bring in '*A Bill for an Act to provide a rebuttable presumption for career firefighters and volunteer firefighters suffering from specified forms of cancer for the purposes of claiming compensation under the **Workplace Injury Rehabilitation and Compensation Act 2013**, to amend the **Metropolitan Fire Brigades Act 1958**, the **Country Fire Authority Act 1958** and certain other Acts to reform fire services and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **DISABILITY (NATIONAL DISABILITY INSURANCE SCHEME TRANSITION) AMENDMENT BILL 2019** — Mr Donnellan obtained leave to bring in '*A Bill for an Act to amend the **Disability Act 2006** and the **Residential Tenancies Act 1997** and to make consequential and other amendments to other Acts to further provide for the transition to the National Disability Insurance Scheme and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Bunyip Railway Station — Requesting that the Legislative Assembly directs the Andrews Government to provide funding for the construction of a car park at Bunyip Railway Station and change the V/Line timetable to better support local commuters travelling to and from Bunyip, bearing 306 signatures (*Mr Blackwood*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 48 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 5 **PETITION — BUNYIP RAILWAY STATION** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Mr Blackwood*) — put and agreed to.

- 6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Security of Government Buildings — Ordered to be published

Security of Patients' Hospital Data — Ordered to be published

Security of Water Infrastructure Control Systems — Ordered to be published

Ombudsman — Investigation of a complaint about Ambulance Victoria — Ordered to be published.

- 7 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended so as to allow each member to speak on the motion in relation to the 2019–20 budget papers for a maximum of 15 minutes (*Ms Allan*) — put and agreed to.

- 8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 4 June 2019 (*Ms Allan*) — put and agreed to.

- 9 **STATEMENTS BY MEMBERS** — Members made statements.

- 10 **STATE TAXATION ACTS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this bill a second time until the Andrews Labor Government has:

- (1) fully consulted with all Victorians affected by the proposed Toyota Landcruiser car tax to be enacted via increased motor vehicle duty rate;
- (2) fully consulted with the property sector affected by the proposed increase in the foreign purchaser additional duty rate, the increase in the absentee owner surcharge and the limiting of the principal place of residence exemption from land tax;
- (3) fully consulted with all Victorians affected by proposed new and increased taxes on:
 - (a) residential land used for vegetable growing, orchards, bees, children's play areas and gardens generally in excess of the Government's approved size;
 - (b) owners of certain residential properties in parts of Melbourne who do not use such property in accordance with the Government's approval; and
- (4) fully consulted with businesses to be subjected to the imposition of duties on corporate restructuring'

(Ms Staley) — and, after debate —

Business was interrupted at 11.00 am under sessional orders.

11 **QUESTION TIME** — (Under Sessional Order 9).

12 **STATE TAXATION ACTS AMENDMENT BILL 2019** — Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Business was interrupted at 2.00 pm under sessional orders.

13 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — EAST WEST LINK** — The Speaker read Mr Wakeling's proposal to the House —

'That this House:

- (1) notes that independent infrastructure experts including Infrastructure Australia, Infrastructure Victoria and Sir Rod Eddington have confirmed the need for the East West Link;
- (2) notes that the proposed North East Link, while an important addition to Victoria's road network, will also exacerbate existing traffic congestion on the Eastern Freeway in the absence of the East West Link;
- (3) notes that the re-elected Federal Morrison Liberal–Nationals Government has committed \$4 billion to build the East West Link; and
- (4) calls on the Andrews Labor Government to negotiate with the Federal Morrison Liberal–Nationals Government to proceed with the East West Link without further delay.'

Mr Wakeling addressed the House — Discussion followed.

- 14 **STATE TAXATION ACTS AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Monday 27 May 2019 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **APPROPRIATION (PARLIAMENT 2019–2020) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **STATE TAXATION ACTS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this bill a second time until the Andrews Labor Government has: (1) fully consulted with all Victorians affected by the proposed Toyota Landcruiser car tax to be enacted via increased motor vehicle duty rate; (2) fully consulted with the property sector affected by the proposed increase in the foreign purchaser additional duty rate, the increase in the absentee owner surcharge and the limiting of the principal place of residence exemption from land tax; (3) fully consulted with all Victorians affected by proposed new and increased taxes on: (a) residential land used for vegetable growing, orchards, bees, children’s play areas and gardens generally in excess of the Government’s approved size; (b) owners of certain residential properties in parts of Melbourne who do not use such property in accordance with the Government’s approval; and (4) fully consulted with businesses to be subjected to the imposition of duties on corporate restructuring’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 24

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Neale Burgess; Ali Cupper; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.08 pm under the resolution of the House on Thursday 2 May 2019.

- 18 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 22, 23, 24 and 25

No 22 — Tuesday 4 June 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE DANIEL ERIC KENT, OAM** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Daniel Eric Kent, OAM, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for the Provinces of Gippsland from 1970 to 1976 and Chelsea from 1979 to 1985 and Minister for Agriculture from 1982 to 1985 (*Mr Andrews*) — members addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Honourable Daniel Eric Kent, OAM, the House now adjourns until 2.00 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 12.41 pm, adjourned until 2.00 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 23 — Tuesday 4 June 2019 (2.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2019** — Mr Carroll obtained leave to bring in '*A Bill for an Act to amend the **Legal Profession Uniform Law Application Act 2014** to change the membership of certain inter-jurisdictional administrative bodies, to validate certain actions and decisions and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 4 **SUPERANNUATION LEGISLATION AMENDMENT BILL 2019** — Mr Scott obtained leave to bring in ‘A Bill for an Act to amend the *Emergency Services Superannuation Act 1986* and certain other Superannuation Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2019** — Mr Pallas obtained leave to bring in ‘A Bill for an Act to amend the *Criminal Procedure Act 2009*, the *Mineral Resources (Sustainable Development) Act 1990*, the *Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Act 2017* and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT (CONSENT) BILL 2019** — Mr Foley obtained leave to bring in ‘A Bill for an Act to amend the *Assisted Reproductive Treatment Act 2008* to ensure that a married woman is not required to obtain the consent of her spouse to undergo a treatment procedure using donor sperm in circumstances where the woman has separated from her spouse, to make consequential and other amendments to the *Status of Children Act 1974* and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, presented the Alert Digest No 7 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2019–2020) Bill 2019
 Appropriation (Parliament 2019–2020) Bill 2019
 State Taxation Acts Amendment Bill 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Results of 2018 Audits: Technical and Further Education Institutes — Ordered to be published
 Results of 2018 Audits: Universities — Ordered to be published

National Parks Act 1975 — Notice of consent under s 40 to undertake petroleum operations within Port Campbell National Park

Parliamentary Committees Act 2003 — Government response to the Environment, Natural Resources and Regional Development Committee’s Report on the Inquiry into the sustainability and operational challenges of Victoria’s rural and regional councils

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Frankston — C133

Kingston — C183

Statutory Rules under the following Acts:

Domestic Animals Act 1994 — SR 36

Local Government Act 1989 — SR 37

Supreme Court Act 1986 — SR 38

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 30, 33.

PROCLAMATION — Under Sessional Order 16, the Clerk tabled the following proclamation fixing an operative date:

Fair Work (Commonwealth Powers) Amendment Act 2019 — Whole Act — 31 May 2019 (*Gazette S205, 28 May 2019*).

- 8 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, today, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Audit Amendment Bill 2018

Guardianship and Administration Bill 2018

Sale of Land Amendment Bill 2019.

- 9 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 6 June 2019:

Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019

Disability (National Disability Insurance Scheme Transition) Amendment Bill 2019

Water and Catchment Legislation Amendment Bill 2019

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Daniel Andrews; Chris Brayne; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas;

Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

10 **STATEMENTS BY MEMBERS** — Members made statements.

11 **POSTPONEMENT OF NOTICE OF MOTION** — Ordered — That the consideration of Government Business, Notice of Motion, No 1 be postponed until later this day.

12 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019** — Ms Neville tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Battin*) — put and agreed to.

Motion made and question — That the debate be adjourned until tomorrow (*Ms Neville*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Daniel Andrews; Chris Brayne; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to. Debate adjourned until Wednesday 5 June 2019.

- 13 **DISABILITY (NATIONAL DISABILITY INSURANCE SCHEME TRANSITION) AMENDMENT BILL 2019** — Mr Donnellan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Motion made and question — That the debate be adjourned until tomorrow (*Mr Donnellan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Daniel Andrews; Chris Brayne; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Neil Angus; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to. Debate adjourned until Wednesday 5 June 2019.

- 14 **BUDGET PAPERS** — Motion made and question proposed — That this House takes note of the 2019–20 budget papers (*Mr Donnellan*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Ms Ryan announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.21 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 24 — Wednesday 5 June 2019

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Hazelwood Pondage — Requesting that the Legislative Assembly calls on the Government to reopen Hazelwood Pondage for recreational use by locals and visitors, bearing 3228 signatures (*Mr Northe*).

Ordered to be tabled.

- 3 **PETITION — HAZELWOOD PONDAGE** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Child and Youth Mental Health — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — C154, GC131
 Cardinia — GC128
 Casey — GC128
 Greater Geelong — GC128
 Hobsons Bay — GC128

Hume — C238
 Kingston — GC131
 Manningham — C126, GC131
 Maribyrnong — C160
 Melton — GC128
 Mitchell — C141
 Moonee Valley — GC128
 Moreland — GC131
 Mornington Peninsula — C260
 Nillumbik — GC128
 Port of Melbourne — GC128
 Port Phillip — GC128
 Stonnington — GC131
 Surf Coast — C131
 Whittlesea — C239, GC131
 Wyndham — GC131
 Yarra — GC128

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Electricity Industry Act 2000* — Order under s 17.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Appropriation (2019–2020) Bill 2019 without amendment.
- 6 **MESSAGES FROM THE LIEUTENANT-GOVERNOR** — Recommending appropriations for the purposes of the following bills:
- Disability (National Disability Insurance Scheme Transition) Amendment Bill 2019
 Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019.
- 7 **STATEMENTS BY MEMBERS** — Members made statements.
- 8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on a committee report.
- 9 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2019** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 19 June 2019.

- 10 **SUPERANNUATION LEGISLATION AMENDMENT BILL 2019** — Mr Scott tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 19 June 2019.

- 11 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2019** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 19 June 2019.

- 12 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT (CONSENT) BILL 2019** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 19 June 2019.

- 13 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this Bill be withdrawn and redrafted as two separate bills to:

- (1) retain the provisions providing for the presumptive rights of firefighters; and
- (2) take into account further consultation with Volunteer Fire Brigades Victoria, volunteer firefighters and other associated organisations about the proposed amendments to the *Metropolitan Fire Brigades Act 1958* and the *Country Fire Authority Act 1958*' (Mr Battin) — and, after debate —

Business was interrupted at 11.00 am under sessional orders.

- 14 **QUESTION TIME** — (Under Sessional Order 9).

- 15 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Business was interrupted at 2.00 pm under sessional orders.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIA'S EDUCATION SECTOR** — The Speaker read Ms Kilkeny's proposal to the House —

'That this House notes Labor's strong investment and reform in Victoria's education sector and further notes:

- (1) The Andrews Labor Government's 2019/20 Budget provides \$321.9 million for free dental care for students at all Victorian public primary and secondary schools.
- (2) The Andrews Labor Government is delivering the biggest reform in the history of our state's early childhood education, with three-year-old kinder for every Victorian child.
- (3) The Andrews Labor Government's 2019/20 Budget invests \$881.6 million to begin that rollout, giving children access to two years of subsidised kinder, and ensuring our kids are ready for school and set for life.'

Ms Kilkeny addressed the House — Discussion followed.

- 17 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Business was interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 25 — Thursday 6 June 2019

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:
- Auditor-General:
- Melbourne Metro Tunnel Project — Phase 1: Early Works — Ordered to be published
Recovering and Reprocessing Resources from Waste — Ordered to be published
- Climate Change Act 2017* — Independent Expert Panel — Interim Emissions Reduction Targets for Victoria (2021–2030)
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rule 38.
- 3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 18 June 2019 (*Ms Allan*) — put and agreed to.
- 4 **STATEMENTS BY MEMBERS** — Members made statements.
- 5 **DISABILITY (NATIONAL DISABILITY INSURANCE SCHEME TRANSITION) AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business was interrupted at 11.00 am under sessional orders.*
- 6 **QUESTION TIME** — (Under Sessional Order 9).
- 7 **DISABILITY (NATIONAL DISABILITY INSURANCE SCHEME TRANSITION) AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Ms Williams*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 29

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Appropriation (Parliament 2019–2020) Bill 2019 without amendment.
- 9 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2019–20 budget papers; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 4 June 2019 had expired.

- 10 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **FIREFIGHTERS’ PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this Bill be withdrawn and redrafted as two separate bills to: (1) retain the provisions providing for the presumptive rights of firefighters; and (2) take into account further consultation with Volunteer Fire Brigades Victoria, volunteer firefighters and other associated organisations about the proposed amendments to the *Metropolitan Fire Brigades Act 1958* and the *Country Fire Authority Act 1958*’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 29

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 29

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

12 **DISABILITY (NATIONAL DISABILITY INSURANCE SCHEME TRANSITION) AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.11 pm under sessional orders.

- 13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.33 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 26, 27 and 28

No 26 — Tuesday 18 June 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2019** — Ms Hennessy obtained leave to bring in ‘*A Bill for an Act to amend the **Births, Deaths and Marriages Registration Act 1996** to provide for a person to alter the record of a person’s sex in the person’s birth registration and to further provide for the issuing of a document acknowledging a person’s name and sex, to make consequential amendments to the **Children, Youth and Families Act 2005**, the **Corrections Act 1986**, the **Serious Offenders Act 2018** and the **Sex Offenders Registration Act 2004** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2019** — Ms D’Ambrosio obtained leave to bring in ‘*A Bill for an Act to amend the **Flora and Fauna Guarantee Act 1988** to promote Victoria’s biodiversity by establishing objectives and principles of the Act, imposing additional obligations to consider biodiversity in decision-making, improving transparency and accountability and making various other amendments to strengthen the Act and to make consequential amendments to other Acts and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

South Gippsland Water — Requesting that the Legislative Assembly urges the Government to immediately stop the relocation of the South Gippsland Water corporate office to ensure it remains in the Foster area, bearing 1054 signatures (*Mr O’Brien, Gippsland South*)

Toorak Road Level Crossing — Requesting that the Legislative Assembly provides the local community with all the relevant information pertaining to the removal of the Toorak Road level crossing, bearing 1058 signatures (*Mr O’Brien, Malvern*)

State Forests in Ripon — Requesting that the Legislative Assembly calls on the Government to ensure the access to all current state forests within Ripon is maintained for current allowed activities, bearing 112 signatures (*Ms Staley*).

Petitions ordered to be tabled.

- 6 **PETITION — STATE FORESTS IN RIPON** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 7 **PETITION — SOUTH GIPPSLAND WATER** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

8 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny presented the Alert Digest No 8 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Assisted Reproductive Treatment Amendment (Consent) Bill 2019
 Disability (National Disability Insurance Scheme Transition) Amendment Bill 2019
 Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019
 Legal Profession Uniform Law Application Amendment Bill 2019
 Mineral Resources (Sustainable Development) Amendment Bill 2019
 Superannuation Legislation Amendment Bill 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Casey — C253
 Knox — C175
 Latrobe — C116
 Moonee Valley — C179
 Mornington Peninsula — C210
 Stonnington — C221
 Wyndham — C235

Statutory Rules under the following Acts:

Building Act 1993 — SRs 40, 41
Confiscation Act 1997 — SR 43
Corrections Act 1986 — SR 46
Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 — SR 44
Livestock Disease Control Act 1994 — SR 42
Residential Tenancies Act 1997 — SR 45
Victorian Civil and Administrative Tribunal Act 1998 — SR 39

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 37, 39, 42, 43, 44

Victorian Environmental Assessment Council — Assessment of the Values of Victoria's Marine Environment together with atlas and summary (three documents).

PROCLAMATION — Under Sessional Order 16, the Clerk tabled the following proclamation fixing operative dates:

Justice Legislation Amendment (Police and Other Matters) Act 2019 — Parts 2 and 3, Division 1 of Part 9 and ss 39, 42, 44 and 46 — 5 June 2019; Part 5, the remaining provisions of Part 8 and Division 3 of Part 9 — 1 July 2019 — (*Gazette S215, 4 June 2019*).

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the State Taxation Acts Amendment Bill 2019 without amendment.

10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS — APPROPRIATION BILLS** — Informing the Legislative Assembly that she had, on 12 June 2019, given the royal assent to the following bills, presented to her by the Speaker:

Appropriation (2019–2020) Bill 2019
Appropriation (Parliament 2019–2020) Bill 2019.

11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, today, given the royal assent to the State Taxation Acts Amendment Bill 2019, presented to her by the Clerk of the Parliaments.

12 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Mineral Resources (Sustainable Development) Amendment Bill 2019
Superannuation Legislation Amendment Bill 2019.

13 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Speaker announced that he had received the following letter from the Governor:

17 June 2019

The Hon Colin Brooks MP
Speaker of the Legislative Assembly
Parliament House
Melbourne Vic 3002

Dear Speaker,

I advise that on 17 June 2019, I received from the Hon Philip Dalidakis, his written resignation as a Member of the Victorian Legislative Council.

I have today informed the President of the Legislative Council and the Premier of his resignation.

Yours sincerely,

Linda Dessau AC
Governor of Victoria.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 20 June 2019:

Assisted Reproductive Treatment Amendment (Consent) Bill 2019
Owner Drivers and Forestry Contractors Amendment Bill 2019
Public Holidays Amendment Bill 2019
Superannuation Legislation Amendment Bill 2019

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallance; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 15 **STATEMENTS BY MEMBERS** — Members made statements.
- 16 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Mr Scott)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

17 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

18 **PUBLIC HOLIDAYS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.21 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 27 — Wednesday 19 June 2019

1 The Speaker took the Chair and read the Prayer.

2 **LOCAL GOVERNMENT (SOUTH GIPPSLAND SHIRE COUNCIL) BILL 2019** — Ms Kairouz obtained leave to bring in ‘*A Bill for an Act to dismiss the South Gippsland Shire Council and provide for a general election for that Council and for other purposes*’; and, after debate, the Bill was read a first time and, under SO 61(2), ordered to be read a second time immediately.

3 **LOCAL GOVERNMENT (SOUTH GIPPSLAND SHIRE COUNCIL) BILL 2019** — Ms Kairouz tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Kew*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

4 **ENVIRONMENT PROTECTION AMENDMENT BILL 2019** — Ms D’Ambrosio obtained leave to bring in ‘*A Bill for an Act to amend the **Environment Protection Act 1970** to prohibit the provision of certain plastic bags and to prevent the provision of misleading information relating to plastic bags and to make technical and consequential amendments to the **Environment Protection Amendment Act 2018** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **PETITION — TOORAK ROAD LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Malvern on 18 June 2019 be taken into consideration tomorrow (*Mr O'Brien, Malvern*) — put and agreed to.

6 **DOCUMENTS**

SOUTH GIPPSLAND SHIRE COUNCIL — Report of the Commission of Inquiry into South Gippsland Shire Council and the Municipal Monitor Report for South Gippsland Shire Council tabled by leave (*Ms Kairouz*).

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Fraud and Corruption Control — Local Government — Ordered to be published

Education and Training Reform Act 2006 — Order under ss 3.1.11 and 3.3.28.

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Disability (National Disability Insurance Scheme Transition) Amendment Bill 2019 without amendment.

8 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — The Speaker announced that he had received the resignation of Dr Kieu, MLC, from the Public Accounts and Estimates Committee, effective from today.

9 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — Motion made, by leave, and question — That Ms Blandthorn be appointed a member of the Public Accounts and Estimates Committee (*Ms Allan*) — after debate, put and agreed to.

10 **STATEMENTS BY MEMBERS** — Members made statements.

Dr Read presented a petition requesting that the Legislative Assembly asks the Minister for Planning to refuse a mining licence to Kalbar Resources Limited due to the impact of the mine and its associated contaminants, bearing 4558 signatures.

11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

12 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2019** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 3 July 2019.

- 13 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2019** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 3 July 2019.

Business was interrupted at 11.00 am under sessional orders.

- 14 **QUESTION TIME** — (Under Sessional Order 9).

- 15 **LOCAL GOVERNMENT (SOUTH GIPPSLAND SHIRE COUNCIL) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 16 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT (CONSENT) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 17 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 18 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT (CONSENT) BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **SUPERANNUATION LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Horne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2019–20 budget papers; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.25 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 28 — Thursday 20 June 2019

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Managing Private Medical Practice in Public Hospitals — Ordered to be published
School Compliance with Victoria's Child Safe Standards — Ordered to be published

Multicultural Victoria Act 2011 — Victorian Government Report in Multicultural Affairs 2017–18

Planning and Environment Act 1987 — Notice of approval of amendments to the following planning schemes:

Banyule — GC140
Manningham — GC140

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 31, 46

Documents under s 16B in relation to the *Gambling Regulation Act 2003* — Ministerial direction under s 4.8A.2

West Gate Tunnel (Truck Bans and Traffic Management) Act 2019 — West Gate Tunnel Project Agreement.

3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 13 August 2019 (*Ms Allan*) — put and agreed to.

4 **STATEMENTS BY MEMBERS** — Members made statements.

5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Local Government (South Gippsland Shire Council) Bill 2019 without amendment.

6 **ENVIRONMENT PROTECTION AMENDMENT BILL 2019** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 4 July 2019.

7 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2019–20 budget papers; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

8 **QUESTION TIME** — (Under Sessional Order 9).

9 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2019–20 budget papers.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 18 June 2019 had expired.

10 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT (CONSENT) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **SUPERANNUATION LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **PUBLIC HOLIDAYS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 14 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.26 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 29, 30 and 31

No 29 — Tuesday 13 August 2019

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow today's order of business to be:

Formal business

Statements by members

Government business

Question time (2.00 pm)

Government business *continued*

(*Ms Allan*) — put and agreed to.

3 **RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019** — Ms D'Ambrosio obtained leave to bring in '*A Bill for an Act to amend the **Renewable Energy (Jobs and Investment) Act 2017** to establish a target of 50% of electricity generated in Victoria to be sourced from renewable energy by 2030 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **RAIL SAFETY LEGISLATION AMENDMENT (NATIONAL SERVICES DELIVERY AND RELATED REFORMS) BILL 2019** — Ms Horne obtained leave to bring in '*A Bill for an Act to amend the **Rail Safety National Law Application Act 2013**, the **Transport (Safety Schemes Compliance and Enforcement) Act 2014**, the **Transport Integration Act 2010** and the **Transport (Compliance and Miscellaneous) Act 1983**, to repeal the **Rail Safety (Local Operations) Act 2006** and to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Banyule Planning Scheme Amendment C152 — Requesting that the Legislative Assembly ensures that the interim heritage overlay for 22 Arden Crescent, Rosanna, is made permanent to protect the 115 year old architecturally unique heritage building, bearing 383 signatures (*Mr Carbines*)

Victorian Boer War Memorial — Requesting that the Legislative Assembly negotiates with the Trustees of the Shrine of Remembrance to have the Victorian Boer War (South African

Soldiers) Memorial relocated to within the precincts of the Shrine of Remembrance, bearing 1012 signatures (*Mr Fregon*)

Fairfield Rail Spur — Requesting that the Legislative Assembly acts to ensure that the Fairfield Rail Spur is returned to the community for public use and used to connect the community with a direct shared user path, a park and an open space for health and wellbeing, bearing 1743 signatures (*Ms Theophanous*).

Petitions ordered to be tabled.

6 **PETITION — BANYULE PLANNING SCHEME AMENDMENT C152** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.

7 **PETITION — FAIRFIELD RAIL SPUR** — Motion made and question — That the petition presented by the Member for Northcote be taken into consideration tomorrow (*Ms Theophanous*) — put and agreed to.

8 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny presented the Alert Digest No 9 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Assisted Reproductive Treatment Amendment (Consent) Bill 2019

Births, Deaths and Marriages Registration Amendment Bill 2019

Environment Protection Amendment Bill 2019

Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019

Flora and Fauna Guarantee Amendment Bill 2019

Legal Profession Uniform Law Application Amendment Bill 2019

Local Government (South Gippsland Shire Council) Act 2019

State Taxation Acts Amendment Bill 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Annual Plan 2019–20

Chief Commissioner of Victoria Police — Report 2018 under s 96 of the *Drugs, Poisons and Controlled Substances Act 1981*

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Albert Park

Cranbourne Wetlands Nature Conservation Reserve

Kardinia Park Memorial Pool Reserve

Order under s 17D granting a lease over Albert Park

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Mineral Resources (Sustainable Development) (Mineral Industries) Regulations 2019 (*Gazette S287, 4 July 2019*)

Melbourne Cricket Ground Trust — Report year ended 31 March 2019

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by Members of the Legislative Assembly — Ordinary Returns 28 July 2019 — Ordered to be published (two volumes)

Ombudsman:

Investigation into State Trustees — Ordered to be published

Investigation into Wellington Shire Council's handling of Ninety Mile Beach subdivisions — Ordered to be published

Parliamentary Budget Officer — Operational Plan 2019–20

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine Resorts — C28

Banyule — GC129

Bass Coast — C151, C156

Boroondara — C276, GC126, GC130

Brimbank — GC132

Campaspe — C112

Cardinia — C220

Casey — C224, C266, C267

Darebin — C183, GC132

Frankston — GC129

French Island and Sandstone Island — C7

Golden Plains — C74

Greater Bendigo — GC132

Greater Dandenong — C221, GC132

Greater Geelong — C375

Hobsons Bay — GC132

Hume — C205, C236, GC129

Knox — GC132

Kingston — C166, GC129

Latrobe — C113

Manningham — GC129
 Maribyrnong — GC129, GC130
 Maroondah — C126, C135
 Melbourne — GC118, GC130
 Mitchell — GC129, GC134
 Monash — GC132
 Moreland — GC130
 Mornington Peninsula — C264
 Murrindindi — C65
 Port Phillip — C173, GC118, GC132
 South Gippsland — C121
 Stonnington — GC126, GC130
 Surf Coast — GC129
 Wellington — C106
 Whitehorse — C223, C224, GC132
 Whittlesea — GC129, GC134
 Wodonga — C98
 Wyndham — GC130
 Yarra — GC132
 Yarra Ranges — C163 Part 1, GC130

Professional Standards Act 2003 — Instrument Amending the Australian Property Institute Valuers Limited Professional Standards Scheme (*Gazette G27, 4 July 2019*)

Royal Commission into the Management of Police Informants — Progress Report — Ordered to be published

Statutory Rules under the following Acts:

Audit Act 1994 — SRs 55, 56
Child Wellbeing and Safety Act 2005 — SR 60
Commercial Passenger Vehicle Industry Act 2017 — SR 53
Criminal Procedure Act 2009 — SR 49
Family Violence Protection Act 2008 — SR 59
Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 — SR 62
Heavy Vehicle National Law Application Act 2013 — SR 67
Improving Cancer Outcomes Act 2014 — SR 50
Long Service Benefits Portability Act 2018 — SR 52
Magistrates' Court Act 1989 — SRs 49, 59
Marine Safety Act 2010 — SR 61
Melbourne City Link Act 1995 — SR 68
Mineral Resources (Sustainable Development) Act 1990 — SR 48
Personal Safety Intervention Orders Act 2010 — SR 59
Public Health and Wellbeing Act 2008 — SR 47
Racing Act 1958 — SR 66
Rail Safety (Local Operations) Act 2006 — SR 63
Road Safety Act 1986 — SR 54

Tobacco Act 1987 — SR 51

Transport (Compliance and Miscellaneous) Act 1983 — SR 57

Victorian Civil and Administrative Tribunal Act 1998 — SRs 58, 64

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 — SR 65

Subordinate Legislation Act 1994:

Documents under s 15 in relation to:

Rail Safety National Law National Regulations (Fees) Variation Regulations 2019

Rail Safety National Law National Regulations Variation Regulations 2019

Statutory Rules 36, 40, 41, 45, 47, 48, 49, 50, 51, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 68

Documents under s 16B in relation to:

Commercial Passenger Vehicle Industry Act 2017 — Determination of accreditation and registration fees

Electricity Industry Act 2000 — Order under s 17

Fundraising Act 1998 — Fundraising exemption order

Transport (Compliance and Miscellaneous) Act 1983 — Determination of accreditation and registration fees

Victorian Inspectorate — Inspection Report under the *Terrorism (Community Protection) Act 2003*

Wrongs Act 1958 — Notice of scale of fees and costs for referrals of medical questions to medical panels under Part VBA (*Gazette S268, 28 June 2019*).

PROCLAMATIONS — Under Sessional Order 16, the Clerk tabled the following proclamations fixing operative dates:

Disability (National Disability Insurance Scheme Transition) Amendment Act 2019 — Division 2 of Part 2, Division 4 of Part 4 and ss 252, 253, 254, 255, 257, 261(1), 263, 264, 265(1), 266, 268, 270, 272, 273, 274(1) and 275 — 1 July 2019; ss 145(1), (2) and (3) and 214 and Divisions 1 and 2 of Part 3 — 2 July 2019 (*Gazette S254, 25 June 2019*)

Disability Service Safeguards Act 2018 — Sections 1 and 2 and Parts 18 (except ss 300 and 301), 19 and 20 — 1 July 2019 (*Gazette S254, 25 June 2019*)

Education Legislation Amendment (Victorian Institute of Teaching, TAFE and Other Matters) Act 2018 — Sections 37, 41, 44 and 72(2) — 30 June 2019 (*Gazette S239, 18 June 2019*)

Justice Legislation Amendment (Family Violence Protection and Other Matters) Act 2018 — Sections 14(1), 17, 18, 20, 21, 28 and 29, the remaining provisions of Parts 5 and 6 and Part 7 — 31 July 2019 (*Gazette S306, 30 July 2019*)

Residential Tenancies Amendment Act 2018 — Sections 34(5) (except paragraphs (a) and (b)) and 53(4) and Division 2 of Part 18 — 19 June 2019 (*Gazette S228, 12 June 2019*)

Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Act 2019 — Division 2 of Part 5, ss 45 and 47 — 8 July 2019 (*Gazette S282, 2 July 2019*).

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019 without amendment.

10 **PRESENTATION OF ADDRESS-IN-REPLY TO SPEECH OF THE GOVERNOR** — The Speaker reported that he had, on 24 June 2019, presented to the Governor the Address of the Legislative Assembly, agreed to on 2 May 2019, in reply to her Speech on the Opening of Parliament.

The Governor was pleased to make the following reply:

Speaker and Members of the Legislative Assembly:

In the name of and on behalf of Her Majesty The Queen I thank you for your expressions of loyalty to our Most Gracious Sovereign contained in the address you have just presented to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration, and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.

LINDA DESSAU AC
Governor of Victoria

Melbourne
24 June 2019.

[The Speaker left the Chair at 12.14 pm and resumed it at 12.31 pm]

11 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 21 June 2019
Local Government (South Gippsland Shire Council) Bill 2019

On 25 June 2019
Disability (National Disability Insurance Scheme Transition) Amendment Bill 2019

On 2 July 2019
Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019.

12 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Environment Protection Amendment Bill 2019
Flora and Fauna Guarantee Amendment Bill 2019.

- 13 **VICTORIAN HEALTH PROMOTION FOUNDATION** — The Speaker announced that he had received a letter from the Minister for Health requesting a joint sitting to elect three members of Parliament to the Victorian Health Promotion Foundation due to the expiry of the previous members' terms.
- 14 **BOARD OF THE VICTORIAN RESPONSIBLE GAMBLING FOUNDATION** — The Speaker announced that he had received a letter from the Minister for Consumer Affairs, Gaming and Liquor Regulation requesting a joint sitting to elect three members of Parliament to the Board of the Victorian Responsible Gambling Foundation due to the expiry of the previous members' terms.
- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL — JOINT SITTING** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to —
- (1) choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Philip Dalidakis;
 - (2) elect Members for appointment to the Victorian Health Promotion Foundation;
 - (3) elect Members for appointment to the Victorian Responsible Gambling Foundation Board;

and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 14 August 2019 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 14 August 2019 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to —

- (1) choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Philip Dalidakis;
- (2) elect three members of Parliament to the Victorian Health Promotion Foundation; and
- (3) elect three members of Parliament to the Board of the Victorian Responsible Gambling Foundation

(Ms Allan) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them accordingly.

- 16 **ACKNOWLEDGEMENT OF COUNTRY** — Motion made, by leave, and question — That this House authorises the Speaker to give an Acknowledgement of Country each sitting day *(Ms Allan)* — put and agreed to.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 15 August 2019:

Births, Deaths and Marriages Registration Amendment Bill 2019
Environment Protection Amendment Bill 2019
Flora and Fauna Guarantee Amendment Bill 2019

(Ms Allan) — after debate, put and agreed to.

- 18 **STATEMENTS BY MEMBERS** — Members made statements.

- 19 **ENVIRONMENT PROTECTION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under the resolution of the House today.

- 20 **QUESTION TIME** — (Under Sessional Order 9).

- 21 **ENVIRONMENT PROTECTION AMENDMENT BILL 2019** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned *(Ms Halfpenny)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Essential Services Commission Amendment (Governance, Procedural and Administrative Improvements) Bill 2019
Public Health and Wellbeing Amendment Bill 2019.

- 23 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 and 3, be postponed until later this day.

- 24 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2019–20 budget papers; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 25 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.22 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 30 — Wednesday 14 August 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **CHILDREN LEGISLATION AMENDMENT BILL 2019** — Mr Donnellan obtained leave to bring in ‘*A Bill for an Act to amend the **Children, Youth and Families Act 2005**, the **Children Legislation Amendment (Information Sharing) Act 2018**, the **Crimes Act 1958**, the **Evidence Act 2008**, the **Privacy and Data Protection Act 2014**, the **Working with Children Act 2005** and the **Limitation of Actions Act 1958** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Banyule Planning Scheme Amendment C152** — Requesting that the Legislative Assembly ensures that the interim heritage overlay for 22 Arden Crescent, Rosanna, is made permanent to protect the 115 year old architecturally unique heritage building, bearing 17 signatures (*Mr Carbines*).
- Ordered to be tabled.
- 4 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents under an Act of Parliament:
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rule 66.
- 5 **STATEMENTS BY MEMBERS** — Members made statements.
- 6 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.
- 7 **RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019** — Ms D’Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D’Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 28 August 2019.

- 8 **RAIL SAFETY LEGISLATION AMENDMENT (NATIONAL SERVICES DELIVERY AND RELATED REFORMS) BILL 2019** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 28 August 2019.

- 9 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 10 **QUESTION TIME** — (Under Sessional Order 9).

- 11 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 12 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — HOMELESSNESS** — The Speaker read Mr Hibbins' proposal to the House —

'That this House notes Victoria's homelessness crisis, and further notes:

- (1) that over 24,000 Victorians are homeless on any given night;
- (2) that there are more than 82,000 adults and children waiting for housing on the Victorian public housing waiting list;
- (3) the Victorian Greens policy to build 80,000 new social housing homes over the next 12 years; and
- (4) the Victorian Government needs to invest billions in a big build of housing to end homelessness in Victoria.'

Mr Hibbins addressed the House — Discussion followed.

- 13 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2019–20 budget papers; debate resumed.

[Business was interrupted at 6.15 pm for a joint sitting and resumed at 6.25 pm]

Debate continued on question — That this House takes note of the 2019–20 budget papers.

Business was interrupted at 7.00 pm under sessional orders.

- 15 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 31 — Thursday 15 August 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **JOINT SITTING** — The Speaker reported that the House met on Wednesday 14 August 2019 with the Legislative Council for the purpose of —
 - (1) choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Philip Dalidakis and that Mr Enver Erdogan was duly chosen to hold the vacant place;
 - (2) electing three members of Parliament to the Victorian Health Promotion Foundation and that Mr Andy Meddick MLC, Ms Bridget Vallence MP and Ms Sarah Connolly MP were elected; and
 - (3) electing three members of Parliament to the Board of the Victorian Responsible Gambling Foundation and that Mr James Newbury MP, Ms Maree Edwards MP and Mr Tim McCurdy MP were elected.

- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Fire Access Tracks — Requesting that the Legislative Assembly calls upon the Government to ensure all fire access tracks on public land and within plantations are reinstated, are adequately maintained all year round, and are not constructed as dead end roads to improve access for all emergency services vehicles and personnel during emergency events such as bushfires, bearing 1508 signatures (*Mr Northe*).

Ordered to be tabled.

- 4 **PETITION — FIRE ACCESS TRACKS** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

5 **DOCUMENTS**

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR — The Clerk announced that the following document had been lodged for presentation by Command of the Governor:

County Court of Victoria — Report 2017–18.

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Rail Safety (Local Operations) (Accreditation and Safety) Interim Regulations 2019 (*Gazette G32, 8 August 2019*)

Victorian Environmental Assessment Council — Central West Investigation Final Report.

- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 27 August 2019 (*Ms Allan*) — put and agreed to.

- 7 **STATEMENTS BY MEMBERS** — Members made statements.

- 8 **CHILDREN LEGISLATION AMENDMENT BILL 2019** — Mr Donnellan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 29 August 2019.

- 9 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 10 **QUESTION TIME** — (Under Sessional Order 9).

- 11 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.

[The Acting Speaker left the Chair at 12.39 pm and resumed it at 12.54 pm]

Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Eren*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2019–20 budget papers; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 13 August 2019 had expired.

- 13 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **ENVIRONMENT PROTECTION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 56

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallance; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.06 pm under sessional orders.

- 16 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.39 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 32, 33 and 34

No 32 — Tuesday 27 August 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **CHILDREN'S SERVICES AMENDMENT BILL 2019** — Mr Merlino obtained leave to bring in 'A Bill for an Act to amend the *Children's Services Act 1996* to further provide for the regulation of children's services, consistently with the Education and Care Services National Law (Victoria) where appropriate, including establishing a scheme for the approval of persons who provide the services and for the operation of the services and to provide for the monitoring and enforcement of the scheme, to make related minor and consequential amendments to other Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **DANGEROUS GOODS AMENDMENT (PENALTY REFORM) BILL 2019** — Ms Hennessy obtained leave to bring in 'A Bill for an Act to amend the *Dangerous Goods Act 1985* to increase the penalties of various offences in that Act so that the penalties better reflect the serious nature of those offences and to create a new offence for reckless conduct in respect of dangerous goods that endangers persons and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **MARINE AND FISHERIES LEGISLATION AMENDMENT BILL 2019** — Ms Horne obtained leave to bring in 'A Bill for an Act to amend the *Fisheries Act 1995*, the *Marine (Drug, Alcohol and Pollution Control) Act 1988*, the *Marine Safety Act 2010* and the *Transport (Safety Schemes Compliance and Enforcement) Act 2014* and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Princes Highway Speed Limit** — Requesting that the Legislative Assembly amends the law and directs VicRoads to increase the speed limit on the Princes Highway to 110 km/h between Colac and Werribee, except for the Winchelsea township, bearing 774 signatures (*Mr Riordan*)
 - Centralisation of Government Banking to Westpac** — Requesting that the Legislative Assembly calls on the Government to reverse its decision to force all government banking to be centralised to Westpac, bearing 175 signatures (*Ms Staley*)

Rezoning of Ballarat High School — Requesting that the Legislative Assembly calls on the Government to urgently reconsider the Ballarat High School rezoning, and that the new zone comes into effect in the 2021 school year and sibling access is retained, bearing 86 signatures (*Ms Staley*).

Petitions ordered to be tabled.

7 **PETITION — PRINCES HIGHWAY SPEED LIMIT** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

8 **PETITION — CENTRALISATION OF GOVERNMENT BANKING TO WESTPAC** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

9 **PETITION — REZONING OF BALLARAT HIGH SCHOOL** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

10 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2018, Regulations and Legislative Instruments, together with appendices tabled by leave (*Ms Kilkenny*).

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny presented the Alert Digest No 10 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Children Legislation Amendment Bill 2019

Flora and Fauna Guarantee Amendment Bill 2019

Rail Safety Legislation Amendment (National Services Delivery and Related Reforms) Bill 2019

Renewable Energy (Jobs and Investment) Amendment Bill 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Alexandra Gardens Reserve

Orders under s 17D granting leases over:

Cape Paterson Caravan Park

Flagstaff Gardens

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Melbourne — C271, C355
Victoria Planning Provisions — VC159

Professional Standards Act 2003 — Chartered Accountants Australia and New Zealand Professional Standards Scheme under s 14 (*Gazette S314, 7 August 2019*)

Statutory Rules under the following Acts:

County Court Act 1958 — SR 69
Occupational Health and Safety Act 2004 — SR 71
Subordinate Legislation Act 1994 — SR 70

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 67.

PROCLAMATION — Under Sessional Order 16, the Clerk tabled the following proclamation fixing an operative date:

Disability Service Safeguards Act 2018 — Remaining provisions of Part 1, Part 2, Division 3 of Part 16 and ss 287(1), 291 and 292 — 20 August 2019 (*Gazette S324, 20 August 2019*).

- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Assisted Reproductive Treatment Amendment (Consent) Bill 2019
Water and Catchment Legislation Amendment Bill 2019.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 20 August 2019, given the royal assent to the following bills, presented to her by the Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

Essential Services Commission Amendment (Governance, Procedural and Administrative Improvements) Bill 2019
Public Health and Wellbeing Amendment Bill 2019
Water and Catchment Legislation Amendment Bill 2019.

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had today given the royal assent to the Assisted Reproductive Treatment Amendment (Consent) Bill 2019, presented to her by the Clerk of the Parliaments.

- 14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Children Legislation Amendment Bill 2019.

- 15 **MESSAGE FROM THE GOVERNOR — SENATE VACANCY** — Transmitting a despatch from the Governor-General notifying that a vacancy had happened in the representation of the State

of Victoria in the Senate of the Commonwealth of Australia through the resignation of Senator the Honourable Mitch Fifield on 16 August 2019.

- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following items be considered and completed by 5.00 pm on Thursday 29 August 2019:

Budget Papers — Take note motion

Children Legislation Amendment Bill 2019

Legal Profession Uniform Law Application Amendment Bill 2019

Mineral Resources (Sustainable Development) Amendment Bill 2019

Renewable Energy (Jobs and Investment) Amendment Bill 2019

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 54

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 28

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 17 **STATEMENTS BY MEMBERS** — Members made statements.
- 18 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Ms D'Ambrosio)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 and 3, be postponed until later this day.

- 20 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2019–20 budget papers; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 33 — Wednesday 28 August 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **POLICE LEGISLATION AMENDMENT (ROAD SAFETY CAMERA COMMISSIONER AND OTHER MATTERS) BILL 2019** — Ms Neville obtained leave to bring in ‘*A Bill for an Act to amend the Road Safety Camera Commissioner Act 2011, the Victoria Police Act 2013 and the Magistrates’ Court Act 1989 and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **HEALTH LEGISLATION AMENDMENT AND REPEAL BILL 2019** — Mr Foley obtained leave to bring in ‘*A Bill for an Act to amend the Health Services Act 1988, the Mental Health Act 2014 and the Tobacco Act 1987, to repeal the Access to Medicinal Cannabis Act 2016, to consequentially amend other Acts as a result of that repeal and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Newlands Arm Bus Service — Requesting that the Legislative Assembly supports the Newlands Arm Ratepayers and Residents Association’s application to Public Transport Victoria for the provision of non-school bus services in their community, bearing 71 signatures (*Mr Bull, Gippsland East*)

Banyule Planning Scheme Amendment C152 — Requesting that the Legislative Assembly ensures that the interim heritage overlay for 22 Arden Crescent, Rosanna, is made permanent to protect the 115 year old architecturally unique heritage building, bearing 37 signatures (*Mr Carbines*)

The Ice Meltdown Project — Requesting that the Legislative Assembly calls on the Government to prioritise immediate funding and business support services for The Ice Meltdown Project to ensure its continuation and to help guide it in expansion of its service, bearing 474 signatures (*Mr Blackwood*)

Waurin Ponds Train Facility — Requesting that the Legislative Assembly calls on the Minister for Transport Infrastructure to develop the Waurin Ponds train facility on an alternate site to the one currently proposed by Rail Projects Victoria, bearing 153 signatures (*Mr Cheeseman*).

Petitions ordered to be tabled.

5 **PETITION — BANYULE PLANNING SCHEME AMENDMENT C152** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.

6 **PETITION — NEWLANDS ARM BUS SERVICE** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.

7 **PETITION — THE ICE MELTDOWN PROJECT** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Mr Blackwood*) — put and agreed to.

8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Managing Registered Sex Offenders — Ordered to be published

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Voluntary Assisted Dying Review Board — Report of operations 2018–19.

9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Births, Deaths and Marriages Registration Amendment Bill 2019

Professional Engineers Registration Bill 2019.

10 **STATEMENTS BY MEMBERS** — Members made statements.

11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

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- 12 **CHILDREN'S SERVICES AMENDMENT BILL 2019** — Mr Merlino tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 11 September 2019.

- 13 **DANGEROUS GOODS AMENDMENT (PENALTY REFORM) BILL 2019** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 11 September 2019.

- 14 **MARINE AND FISHERIES LEGISLATION AMENDMENT BILL 2019** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 11 September 2019.

- 15 **RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Government has

demonstrated to Victorians that legislating a 50 per cent target of electricity generated in Victoria to be sourced from renewable energy by 2030 will not:

- (1) have the effect of increasing electricity and gas prices for Victorian families;
- (2) contribute to the premature closing of Victoria's baseload generators;
- (3) have a detrimental effect on the security of supply;
- (4) contribute to unemployment in the Latrobe Valley;
- (5) have a detrimental effect on the Victorian economy; and
- (6) force further costs onto Victorian energy consumers due to the additional investment required to expand the transmission network.'

(Mr Smith, Warrandyte) — and, after debate —

Business was interrupted at 11.00 am under sessional orders.

16 **QUESTION TIME** — (Under Sessional Order 9).

17 **RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Amendment proposed to Mr Smith's *(Warrandyte)* amendment — That all the words after 'until' be omitted and replaced with the words 'the Government conducts and makes available:

- (1) modelling demonstrating how Victoria will achieve a 50 per cent renewable energy target including whether such a target will result in a partial or full closure of coal fired and/or gas power stations in the Latrobe Valley; and
- (2) a business impact statement with regards to the effects of the Bill upon the Latrobe Valley community and economy.'

(Mr Northe) — and, after debate —

Business was interrupted at 2.00 pm under sessional orders.

18 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIAN LIBERAL PARTY'S REVIEW OF POLICIES** — The Speaker read Mr Pearson's proposal to the House —

'That this House notes the Victorian Liberal Party's review of all policies and the following historic reforms of the Andrews Labor Government that could be cut by the Liberals:

- (1) Building the education state including free TAFE, 100 new schools, dental vans and three year old kinder;

- (2) The record \$2.5 billion investment in the health system to deliver world class health care for all Victorians;
- (3) The state-changing infrastructure agenda including the Suburban Rail Loop, Metro Tunnel, West Gate Tunnel, North-East Link and removal of 75 dangerous and congested level crossings; and
- (4) The hundreds of thousands of jobs created by these projects and reforms.'

Mr Pearson addressed the House — Discussion followed.

- 19 **RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019** — Debate resumed on question — That this Bill be now read a second time — and on the amendment — and on the amendment to the amendment.

Dr Read announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time — and on the amendment — and on the amendment to the amendment.

Business was interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 34 — Thursday 29 August 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Newstead Goods Shed — Requesting that the Legislative Assembly calls on VicTrack to resurrect the project to restore the Newstead goods shed under the Vacant Rail Buildings Program, bearing 679 signatures (*Ms Edwards*)

781 Bus Service — Requesting that the Legislative Assembly calls on the Minister for Public Transport to extend the 781 bus service to incorporate the section of Bungower Road to the

corner of Racecourse Road before turning back to enter Robertson Drive to provide better public transport access for local residents, bearing 472 signatures (*Mr Morris*).

Petitions ordered to be tabled.

- 3 **PETITION — 781 BUS SERVICE** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.

4 **DOCUMENTS**

VICTORIAN PUBLIC HEALTH AND WELLBEING PLAN 2019–2023 — Tabled by leave (*Mr Foley*).

PRIVILEGES COMMITTEES — Ms Neville, joint Chair, presented a joint report from the Privileges Committees on the appointment of a Parliamentary Integrity Adviser, together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Report 2018–19

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C151
 Boroondara — C314
 Casey — C235
 Greater Dandenong — GC107
 Greater Geelong — C398
 Kingston — C149, GC107
 Maroondah — C132
 Moreland — C177
 Port Phillip — C170
 Surf Coast — C129
 Victoria Planning Provisions — VC163
 Whittlesea — C232
 Yarra Ranges — C184.

- 5 **PARLIAMENTARY INTEGRITY ADVISER** — Motion made, by leave, and question — That:

- (1) Mr Ray Purdey be appointed as Parliamentary Integrity Adviser, from 1 September 2019 to the day that is four months after the next general election, under the terms and conditions of appointment in Appendix 1 of the Privileges Committees' joint report on the appointment of a Parliamentary Integrity Adviser.

(2) A message be sent to the Legislative Council requesting their agreement

(Ms Allan) — after debate, put and agreed to.

6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 10 September 2019 *(Ms Allan)* — put and agreed to.

7 **STATEMENTS BY MEMBERS** — Members made statements.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the appointment of Mr Ray Purdey as Parliamentary Integrity Adviser.

9 **POLICE LEGISLATION AMENDMENT (ROAD SAFETY CAMERA COMMISSIONER AND OTHER MATTERS) BILL 2019** — Ms Neville tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time *(Ms Neville)*.

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned *(Mr Wakeling)* — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 12 September 2019.

10 **HEALTH LEGISLATION AMENDMENT AND REPEAL BILL 2019** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time *(Mr Foley)*.

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned *(Mr Wakeling)* — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 12 September 2019.

11 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 3 to 5 inclusive, be postponed until later this day.

12 **RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government has demonstrated to Victorians that legislating a 50 per cent target of electricity generated in Victoria to be sourced

from renewable energy by 2030 will not: (1) have the effect of increasing electricity and gas prices for Victorian families; (2) contribute to the premature closing of Victoria's baseload generators; (3) have a detrimental effect on the security of supply; (4) contribute to unemployment in the Latrobe Valley; (5) have a detrimental effect on the Victorian economy; and (6) force further costs onto Victorian energy consumers due to the additional investment required to expand the transmission network' — *and on the amendment to the amendment* — That all the words after 'until' be omitted and replaced with the words 'the Government conducts and makes available: (1) modelling demonstrating how Victoria will achieve a 50 per cent renewable energy target including whether such a target will result in a partial or full closure of coal fired and/or gas power stations in the Latrobe Valley; and (2) a business impact statement with regards to the effects of the Bill upon the Latrobe Valley community and economy'; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **CHILDREN LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 14 **QUESTION TIME** — (Under Sessional Order 9).

- 15 **CHILDREN LEGISLATION AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 27 August 2019 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government has demonstrated to Victorians that legislating a 50 per cent target of electricity generated in Victoria to be sourced from renewable energy by 2030 will not: (1) have the effect of increasing electricity and gas prices for Victorian families; (2) contribute to the premature closing of Victoria’s baseload generators; (3) have a detrimental effect on the security of supply; (4) contribute to unemployment in the Latrobe Valley; (5) have a detrimental effect on the Victorian economy; and (6) force further costs onto Victorian energy consumers due to the additional investment required to expand the transmission network’ — *and on the amendment to the amendment* — That all the words after ‘until’ be omitted and replaced with the words ‘the Government conducts and makes available: (1) modelling demonstrating how Victoria will achieve a 50 per cent renewable energy target including whether such a target will result in a partial or full closure of coal fired and/or gas power stations in the Latrobe Valley; and (2) a business impact statement with regards to the effects of the Bill upon the Latrobe Valley community and economy’.

Question — That the words proposed to be omitted by Mr Northe’s amendment stand part of Mr Smith’s (Warrantyte) amendment — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 74

Juliana Addison; Jacinta Allan; Daniel Andrews; Neil Angus; Brad Battin; Gary Blackwood; Lizzie Blandthorn; Chris Brayne; Roma Britnell; Tim Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Matthew Guy; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; David Hodgett; Melissa Horne; Natalie Hutchins; Emma Kealy; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Cindy McLeish; James Merlino; David Morris; Lisa Neville; James Newbury; Danny O’Brien; Michael O’Brien; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Richard Riordan; Robin Scott; Michaela Settle; Ryan Smith; Tim Smith; David Southwick; Ros Spence; Nick Staikos; Louise Staley; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Bridget Vallenge; Nick Wakeling; Vicki Ward; Kim Wells; Gabrielle Williams; Richard Wynne.

NOES 2

Russell Northe; Suzanna Sheed.

Question agreed to.

Question — That the words proposed to be omitted by Mr Smith’s (Warrantyte) amendment stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 53

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 23

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2019–20 budget papers.

Question — That this House takes note of the 2019–20 budget papers — put and agreed to.

Business was interrupted at 5.12 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 35, 36 and 37

No 35 — Tuesday 10 September 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF MAXWELL JOHN McDONALD** — The Speaker announced the death of Maxwell John McDonald, Member of the Legislative Assembly for the Districts of Evelyn from 1982 to 1985 and Whittlesea from 1985 to 1992; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTION TIME** — (Under Sessional Order 9).
- 4 **OWNERS CORPORATIONS AND OTHER ACTS AMENDMENT BILL 2019** — Ms Kairouz obtained leave to bring in '*A Bill for an Act to amend the **Owners Corporations Act 2006**, the **Retirement Villages Act 1986** and the **Subdivision Act 1988** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **LAND (REVOCAION OF RESERVATIONS) BILL 2019** — Ms D'Ambrosio obtained leave to bring in '*A Bill for an Act to provide for the revocation of certain permanent reservations of Crown land at Frankston, Camberwell, Geelong and Coleraine, to revoke related Crown grants and to re-reserve certain land and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny presented the Alert Digest No 11 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Births, Deaths and Marriages Registration Amendment Bill 2019

Children Legislation Amendment Bill 2019

Children's Services Amendment Bill 2019

Dangerous Goods Amendment (Penalty Reform) Bill 2019

Health Legislation Amendment and Repeal Bill 2019

Local Government (South Gippsland Shire Council) Act 2019

Marine and Fisheries Legislation Amendment Bill 2019

Police Legislation Amendment (Road Safety Camera Commissioner and Other Matters) Bill 2019

Primary Industries Legislation Amendment Bill 2019

Public Administration Amendment Bill 2019

Racial and Religious Tolerance Amendment Bill 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Melbourne City Link Act 1995:

Melbourne City Link Thirty-Eighth Amending Deed
City Link and Extension Projects Integration and Facilitation Agreement Twenty-Sixth Amending Deed

Ombudsman — OPCAT in Victoria: A thematic investigation of practices related to solitary confinement of children and young people — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — C114
Boroondara — C266
Cardinia — C242
Glenelg — C95
Greater Dandenong — C218
Greater Geelong — C389
Hume — GC137
Kingston — GC137
Knox — C173
Mitchell — C128
Whittlesea — C237
Yarra Ranges — C166

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SR 75
Parliamentary Salaries, Allowances and Superannuation Act 1968 — SR 74
Residential Tenancies Act 1997 — SR 72
Supreme Court Act 1986 — SR 73

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 70, 73, 74, 75.

7 MESSAGES FROM THE LEGISLATIVE COUNCIL — Agreeing to the following bills without amendment:

Environment Protection Amendment Bill 2019
Flora and Fauna Guarantee Amendment Bill 2019
Public Holidays Amendment Bill 2019.

- 8 **MESSAGE FROM THE ADMINISTRATOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 3 September 2019, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Births, Deaths and Marriages Registration Amendment Bill 2019
Professional Engineers Registration Bill 2019.

- 9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, today, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Environment Protection Amendment Bill 2019
Flora and Fauna Guarantee Amendment Bill 2019
Public Holidays Amendment Bill 2019.

- 10 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Health Legislation Amendment and Repeal Bill 2019
Marine and Fisheries Legislation Amendment Bill 2019
Police Legislation Amendment (Road Safety Camera Commissioner and Other Matters) Bill 2019.

- 11 **JOINT SITTING — SENATE VACANCY** — Motion made, by leave, and question — That this House meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Mitch Fifield, and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Wednesday 11 September 2019 at 6.15 pm (*Ms Allan*) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them of the resolution and requesting their agreement.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 12 September 2019:

Dangerous Goods Amendment (Penalty Reform) Bill 2019
Health Legislation Amendment and Repeal Bill 2019
Marine and Fisheries Legislation Amendment Bill 2019
Primary Industries Legislation Amendment Bill 2019
Rail Safety Legislation Amendment (National Services Delivery and Related Reforms) Bill 2019

(*Ms Allan*) — after debate, put and agreed to.

- 13 **STATEMENTS BY MEMBERS** — Members made statements.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to meet the Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Mitch Fifield as proposed by the Assembly.

15 **RAIL SAFETY LEGISLATION AMENDMENT (NATIONAL SERVICES DELIVERY AND RELATED REFORMS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this Bill be withdrawn and redrafted to provide adequate parliamentary oversight to ensure safety measures are met before the sale, long-term lease or surrender of the ownership of rail or tram track assets in Victoria, including transfer to other jurisdictions’ (*Ms Ryan*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

16 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government has consulted with game hunting stakeholders about the role of the Game Management Authority in promoting responsible game hunting and proposed additional guiding principles to regulate and improve the game hunting sector’ (*Mr Walsh*) — and, after debate —

Business was interrupted at 7.00 pm under sessional orders.

17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.22 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 36 — Wednesday 11 September 2019

1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **CONSUMER LEGISLATION AMENDMENT BILL 2019** — Ms Kairouz obtained leave to bring in ‘A Bill for an Act to amend the **Australian Consumer Law and Fair Trading Act 2012**, the

Domestic Building Contracts Act 1995, the Fundraising Act 1998, the Residential Tenancies Act 1997, the Residential Tenancies Amendment Act 2018 and the Sex Work Act 1994 and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Bendigo GovHub — Requesting that the Legislative Assembly calls on the Government to publish the evidence behind the Bendigo GovHub development proposal to confirm that the decision is in local ratepayers' best interests, bearing 328 signatures (*Mr Walsh*).

Ordered to be tabled.

- 4 **PETITION — BENDIGO GOVHUB** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.

- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Enrolment Processes at Technical and Further Education Institutes — Ordered to be published

Crimes Act 1958 — Instrument of Authorisation under s 464Z

Family Violence Prevention Agency (Respect Victoria) — Report 2018–19

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Casey — C192

Golden Plains — C80

Mitchell — C143, C147

Yarriambiack — C22

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 69

Surveyor-General — Report 2018–19 on the administration of the *Survey Co-ordination Act 1958*.

- 6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Children Legislation Amendment Bill 2019

Mineral Resources (Sustainable Development) Amendment Bill 2019.

- 7 **STATEMENTS BY MEMBERS** — Members made statements.

8 **STATEMENT ON A PARLIAMENTARY COMMITTEE REPORT** — A member made a statement on a committee report.

9 **OWNERS CORPORATIONS AND OTHER ACTS AMENDMENT BILL 2019** — Ms Kairouz tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 25 September 2019.

10 **LAND (REVOCAION OF RESERVATIONS) BILL 2019** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 25 September 2019.

11 **MARINE AND FISHERIES LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Government commits to:

- (1) a genuine consultation process with the Gippsland Lakes Fishery Access Licence Holders on the compulsory buyback of their licences; and
- (2) releasing all expert advice (including the Valuer-General's assessments on equipment) to individual licence holders in accordance with s 3A(1)(h) of the *Fisheries Act 1995*'

(*Mr Bull, Gippsland East*) — and, after debate —

Business was interrupted at 11.00 am under sessional orders.

12 **QUESTION TIME** — (Under Sessional Order 9).

- 13 **MARINE AND FISHERIES LEGISLATION AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Amendment proposed to Mr Bull's (*Gippsland East*) amendment — That after '1995' the following words be inserted ' ; and (3) putting in place a scientifically robust monitoring framework that can ensure recreational fishing in the Gippsland Lakes is environmentally sustainable' (*Mr Hibbins*) — and, after debate —

Business was interrupted at 2.00 pm under sessional orders.

- 14 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 15 **MARINE AND FISHERIES LEGISLATION AMENDMENT BILL 2019** — Debate resumed on question — That this Bill be now read a second time — and on the amendment — and on the amendment to the amendment.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **DANGEROUS GOODS AMENDMENT (PENALTY REFORM) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Wakeling announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

[Business was interrupted at 6.15 pm for a joint sitting and resumed at 6.22 pm]

Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

No 37 — Thursday 12 September 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **JOINT SITTING — SENATE VACANCY** — The Speaker reported that the House met on Wednesday 11 September 2019 with the Legislative Council for the purpose of choosing a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Mitch Fifield and that the Honourable Sarah Henderson was duly chosen to hold the vacant place.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Aussie Farms — Requesting that the Legislative Assembly addresses the urgent need for stronger protection of law abiding farmers by revoking Aussie Farms' status as a charitable organisation, shutting down the Aussie Farms website and legislating stronger legal protections to appropriately penalise aggressive protesters and trespassers, bearing 281 signatures (*Ms Kealy*)

Baimbridge College Hamilton — Requesting that the Government immediately provides funding to enable redevelopment and site consolidation works at Hamilton's Baimbridge College, bearing 145 signatures (*Ms Kealy*)

Community Banks — Requesting that the Legislative Assembly calls on the Government to reverse its mandate for all State Government organisations to close local bank accounts and move their money to a centralised government account with Westpac Sydney branch, bearing 30 signatures (*Ms Kealy*)

Public Transport Services in Western Victoria — Requesting that the Legislative Assembly ensures that an appropriate level of investment is made to improve public transport services in Western Victoria, bearing 76 signatures (*Ms Kealy*)

Rural and Regional Roads in Western Victoria — Requesting that the Government provides immediate and urgent funding for rural and regional roads in Western Victoria, bearing 209 signatures (*Ms Kealy*)

Warracknabeal Education Precinct — Requesting that the Government immediately provides funding to allow the Warracknabeal Education Precinct to be completed, bearing 368 signatures (*Ms Kealy*).

Petitions ordered to be tabled.

- 4 **PETITION — AUSSIE FARMS** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.

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- 5 **PETITION — BAIMBRIDGE COLLEGE HAMILTON** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 6 **PETITION — COMMUNITY BANKS** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 7 **PETITION — PUBLIC TRANSPORT SERVICES IN WESTERN VICTORIA** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 8 **PETITION — RURAL AND REGIONAL ROADS IN WESTERN VICTORIA** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 9 **PETITION — WARRACKNABEAL EDUCATION PRECINCT** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:
- Freedom of Information Act 1982* — Professional Standards under s 6V
- Subordinate Legislation Act 1994* — Documents under s 16B in relation to the *Freedom of Information Act 1982* — Professional Standards
- Surveillance Devices Act 1999* — Report 2018–19 under s 30L.
- 11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 15 October 2019 (*Ms Allan*) — put and agreed to.
- 12 **STATEMENTS BY MEMBERS** — Members made statements.
- 13 **LEGAL AND SOCIAL ISSUES STANDING COMMITTEE** — Motion made and question — That this House refers an inquiry into current anti-vilification laws, their possible expansion, and/or extension of protections beyond existing classes to the Legal and Social Issues Standing Committee for consideration and report no later than 1 September 2020 and the Committee should consider:
- (a) the effectiveness of the operation of the *Racial and Religious Tolerance Act 2001* (the Act) in delivering upon its purposes;
 - (b) the success or otherwise of enforcement of the Act, and the appropriateness of sanctions in delivering upon the Act's purposes;
 - (c) interaction between the Act and other state and Commonwealth legislation;

- (d) comparisons in the operation of the Act with legislation in other jurisdictions;
- (e) the role of state legislation in addressing online vilification;
- (f) the effectiveness of current approaches to law enforcement in addressing online offending;
- (g) any evidence of increasing vilification and hate conduct in Victoria;
- (h) possible extension of protections or expansion of protection to classes of people not currently protected under the existing Act; and
- (i) any work underway to engage with social media and technology companies to protect Victorians from vilification

(Ms Hennessy) — after debate, put and agreed to.

- 14 **CONSUMER LEGISLATION AMENDMENT BILL 2019** — Ms Kairouz tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time *(Ms Kairouz)*.

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned *(Mr Angus)* — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 26 September 2019.

- 15 **HEALTH LEGISLATION AMENDMENT AND REPEAL BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 16 **QUESTION TIME** — (Under Sessional Order 9).

- 17 **HEALTH LEGISLATION AMENDMENT AND REPEAL BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned *(Ms Williams)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **DANGEROUS GOODS AMENDMENT (PENALTY REFORM) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 10 September 2019 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **MARINE AND FISHERIES LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government commits to: (1) a genuine consultation process with the Gippsland Lakes Fishery Access Licence Holders on the compulsory buyback of their licences; and (2) releasing all expert advice (including the Valuer-General’s assessments on equipment) to individual licence holders in accordance with s 3A(1)(h) of the *Fisheries Act 1995*’ — *and on the amendment to the amendment* — That after ‘1995’ the following words be inserted ‘; and (3) putting in place a scientifically robust monitoring framework that can ensure recreational fishing in the Gippsland Lakes is environmentally sustainable’.

Question — That the words proposed by Mr Hibbins’ amendment be inserted into Mr Bull’s (*Gippsland East*) amendment — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 4

Ali Cupper; Sam Hibbins; Tim Read; Ellen Sandell.

NOES 76

Juliana Addison; Jacinta Allan; Daniel Andrews; Neil Angus; Lizzie Blandthorn; Chris Brayne; Roma Britnell; Josh Bull; Tim Bull; Neale Burgess; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Danielle Green; Matthew Guy; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; David Hodgett; Melissa Horne; Natalie Hutchins; Marlene Kairouz; Emma Kealy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; Cindy McLeish; James Merlino; David Morris; Lisa Neville; James Newbury; Russell Northe; Michael O’Brien; Martin Pakula; Tim Pallas; Danny Pearson; Tim Richardson; Richard Riordan; Brad Rowswell; Steph Ryan; Robin Scott; Michaela Settle; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Ros Spence; Nick Staikos; Louise Staley; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Vicki Ward; Kim Wells; Gabrielle Williams; Richard Wynne.

Question defeated.

Question — That the words proposed to be omitted by Mr Bull’s (*Gippsland East*) amendment stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 28

Neil Angus; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowsell; Steph Ryan; Ellen Sandell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **RAIL SAFETY LEGISLATION AMENDMENT (NATIONAL SERVICES DELIVERY AND RELATED REFORMS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted and replaced with the words 'this Bill be withdrawn and redrafted to provide adequate parliamentary oversight to ensure safety measures are met before the sale, long-term lease or surrender of the ownership of rail or tram track assets in Victoria, including transfer to other jurisdictions'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 28

Neil Angus; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Government has consulted with game hunting stakeholders about the role of the Game Management Authority in promoting responsible game hunting and proposed additional guiding principles to regulate and improve the game hunting sector'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 25

Neil Angus; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **HEALTH LEGISLATION AMENDMENT AND REPEAL BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.21 pm under sessional orders.

- 23 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.49 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 38, 39 and 40

No 38 — Tuesday 15 October 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2019** — Mr Pallas obtained leave to bring in ‘A Bill for an Act to amend the *Duties Act 2000*, the *Gambling Regulation Act 2003*, the *Land Tax Act 2005* and the *Valuation of Land Act 1960* and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **JUSTICE LEGISLATION AMENDMENT (SERIOUS OFFENDERS AND OTHER MATTERS) BILL 2019** — Mr Carroll obtained leave to bring in ‘A Bill for an Act to amend the *Serious Offenders Act 2018*, the *Corrections Act 1986* and certain other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **BUILDING AMENDMENT (CLADDING RECTIFICATION) BILL 2019** — Mr Wynne obtained leave to bring in ‘A Bill for an Act to amend the *Building Act 1993* in relation to cladding rectification and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **MELBOURNE STRATEGIC ASSESSMENT (ENVIRONMENT MITIGATION LEVY) BILL 2019** — Ms D’Ambrosio obtained leave to bring in ‘A Bill for an Act to impose a levy to fund measures to mitigate impacts on the environment caused by the development of land in Melbourne’s growth corridors and to consequentially amend other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **ENERGY SAFETY LEGISLATION AMENDMENT (VICTORIAN ENERGY SAFETY COMMISSION AND OTHER MATTERS) BILL 2019** — Ms D’Ambrosio obtained leave to bring in ‘A Bill for an Act to amend the *Electricity Safety Act 1998* and the *Energy Safe Victoria Act 2005* in relation to Energy Safe Victoria and certain classes of electrical work and to make consequential and related amendments to certain other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Climate Emergency — Requesting that the Government commits to urgent action to reduce carbon emissions and reduce climate change impacts in Victoria, particularly for those who are most vulnerable, bearing 491 signatures (*Mr Edbrooke*)

Bellbrae Primary School — Requesting that the Legislative Assembly calls on the Minister for Education to support the preservation and heritage listing of the historic Bellbrae school building, bearing 115 signatures (*Mr Cheeseman*).

Petitions ordered to be tabled.

9 DOCUMENTS

GOVERNMENT RESPONSE TO THE COMMUNITY VISITORS REPORT 2017–18 — Tabled by leave (*Mr Foley*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, tabled the Alert Digest No 12 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Consumer Legislation Amendment Bill 2019
 Crimes Amendment (Trespass) Bill 2019
 Health Legislation Amendment and Repeal Bill 2019
 Land (Revocation of Reservations) Bill 2019
 Owners Corporations and Other Acts Amendment Bill 2019
 Police Legislation Amendment (Road Safety Camera Commissioner and Other Matters) Bill 2019
 Racial and Religious Tolerance Amendment Bill 2019
 Wildlife Amendment (Protection of Birds) Bill 2019
 SR No 52 — Long Service Benefits Portability Regulations 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Advancing the Treaty Process with Aboriginal Victorians Act 2018 — Advancing the Victorian Treaty Process: Report and Plan 2018–19

Crown Land (Reserves) Act 1978 — Orders under s 17D granting leases over:

Albert Park Reserve
 Gillott Reserve
 Sandringham Beach Park (two orders)
 Tasma Terrace Reserve

Duties Act 2000:

Report 1 January 2019 to 30 June 2019 of Foreign Purchaser Additional Duty Exemptions under s 3E
 Reports 2018–19 of exemptions and refunds under ss 250B and 250DD (two documents)

Financial Management Act 1994 — Financial Report for the State of Victoria 2018–19, incorporating Quarterly Financial Report No 4 — Ordered to be published

Gambling Regulation Act 2003 — Amendment to the Wagering and Betting Licence issued to Tabcorp Wagering (Vic) Pty Ltd under s 4.3A.23

Independent Broad-based Anti-corruption Commission — Special report on corruption risks associated with procurement in local government: Operations Dorset, Royston and others — Ordered to be published

Land Tax Act 2005 — Report 2018–19 of Land Tax Absentee Owner Surcharge Exemptions under ss 3B and 3BA

Ombudsman — Revisiting councils and complaints — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine Resorts — C27
Banyule — C115
Bass Coast — GC149
Bayside — C152
Boroondara — C274 Part 2
Brimbank — C202
Cardinia — C205, C237
East Gippsland — C153
Frankston — C124
Glenelg — C90
Greater Dandenong — C202, C205
Greater Geelong — C359 Part 2, C376 Part 2, C392
Greater Shepparton — C118, C214
Hobsons Bay — C116 Part 2
Hume — C225
Knox — C182
Macedon Ranges — C118
Manningham — C109 Part 1, C117
Maribyrnong — C124, C145
Melbourne — C359, C360
Moonee Valley — C208
Mornington Peninsula — C226, C254
South Gippsland — GC149
Stonnington — C276, C298
Surf Coast — GC149
Victoria Planning Provisions — VC161, VC164
Warrnambool — C201
Wellington — C107, C108, GC149
Whittlesea — C209

Statutory Rules under the following Acts:

Assisted Reproductive Treatment Act 2008 — SR 86

Births, Deaths and Marriages Registration Act 1996 — SRs 77, 78

Child Wellbeing and Safety Act 2005 — SR 85

Coroners Act 2008 — SR 76

Gene Technology Act 2001 — SR 91

Magistrates' Court Act 1989 — SRs 81, 82, 87, 95

Metropolitan Fire Brigades Act 1958 — SR 92

Parliamentary Salaries, Allowances and Superannuation Act 1968 — SRs 84, 94

Relationships Act 2008 — SR 79

Road Safety Act 1986 — SRs 88, 93

Sheriff Act 2009 — SR 80

Subordinate Legislation Act 1994 — SR 89

Supreme Court Act 1986 — SR 90

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 — SR 83

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 71, 72, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 88, 89, 90, 94

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019:

Determination No 1/2019 under s 26

Guidelines No 1/2019 under s 36.

PROCLAMATIONS — Under Sessional Order 16, the Clerk tabled the following proclamations fixing operative dates:

Emergency Management Legislation Amendment Act 2018 — Part 2 — 25 September 2019 (*Gazette S358, 10 September 2019*)

Justice Legislation Amendment (Police and Other Matters) Act 2019 — Remaining provisions of Part 6 — 1 October 2019 (*Gazette S386, 24 September 2019*)

Water and Catchment Legislation Amendment Act 2019 — Whole Act (except ss 5(2), 5(8), 83, 86, 89 and 96) — 9 October 2019 (*Gazette S409, 8 October 2019*).

10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Legal Profession Uniform Law Application Amendment Bill 2019

Owner Drivers and Forestry Contractors Amendment Bill 2019.

- 11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 17 September 2019, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Children Legislation Amendment Bill 2019
 Legal Profession Uniform Law Application Amendment Bill 2019
 Mineral Resources (Sustainable Development) Amendment Bill 2019
 Owner Drivers and Forestry Contractors Amendment Bill 2019.

- 12 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Consumer Legislation Amendment Bill 2019.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 17 October 2019:

Children’s Services Amendment Bill 2019
 Consumer Legislation Amendment Bill 2019
 Land (Revocation of Reservations) Bill 2019
 Police Legislation Amendment (Road Safety Camera Commissioner and Other Matters) Bill 2019

(Ms Allan) — after debate, put and agreed to.

- 14 **STATEMENTS BY MEMBERS** — Members made statements.

- 15 **POLICE LEGISLATION AMENDMENT (ROAD SAFETY CAMERA COMMISSIONER AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Ms Kilkeny)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

- 17 **LAND (REVOCAION OF RESERVATIONS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms D’Ambrosio announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.25 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 39 — Wednesday 16 October 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Poowong Public Transport — Requesting that the Legislative Assembly calls on the Government to provide public transport services that stop at Poowong or at least initiate a trial to gauge the level of demand, bearing 837 signatures (*Mr O'Brien, Gippsland South*)

South Gippsland Water — Requesting that the Legislative Assembly calls on the Government to immediately stop the relocation of South Gippsland Water corporate office and ensure it remains in Foster, bearing 615 signatures (*Mr O'Brien, Gippsland South*).

Petitions ordered to be tabled.

- 3 **PETITION — POOWONG PUBLIC TRANSPORT** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 4 **PETITION — SOUTH GIPPSLAND WATER** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 5 **DOCUMENTS**

PARLIAMENTARY DEPARTMENTS — Reports 2018–19 of the Department of the Legislative Assembly and Department of Parliamentary Services tabled by leave (*Ms Edwards*).

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Blandthorn, Chair, tabled a report from the Public Accounts and Estimates Committee on the Recommendation on the appointment of a person to conduct the performance audit of the Auditor-General and the Victorian Auditor-General's Office.

Ordered to be published.

6 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL APPEALS) BILL 2019** — Ms Hennessy obtained leave to bring in ‘*A Bill for an Act to amend the **Children, Youth and Families Act 2005** and the **Criminal Procedure Act 2009** in relation to certain appeals and the powers of the Court of Appeal and to make consequential amendments to the **Supreme Court Act 1986** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Marine and Fisheries Legislation Amendment Bill 2019 without amendment.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Superannuation Legislation Amendment Bill 2019 with amendments.

Ordered — That the amendments be taken into consideration later this day.

9 **STATEMENTS BY MEMBERS** — Members made statements.

10 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.

11 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2019** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 30 October 2019.

12 **JUSTICE LEGISLATION AMENDMENT (SERIOUS OFFENDERS AND OTHER MATTERS) BILL 2019** — Mr Carroll tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Carroll*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for 13 days. Debate adjourned until Tuesday 29 October 2019.

- 13 **BUILDING AMENDMENT (CLADDING RECTIFICATION) BILL 2019** — Mr Wynne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Kew*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 30 October 2019.

- 14 **MELBOURNE STRATEGIC ASSESSMENT (ENVIRONMENT MITIGATION LEVY) BILL 2019** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for 13 days. Debate adjourned until Tuesday 29 October 2019.

- 15 **ENERGY SAFETY LEGISLATION AMENDMENT (VICTORIAN ENERGY SAFETY COMMISSION AND OTHER MATTERS) BILL 2019** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 30 October 2019.

- 16 **CONSUMER LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

17 **QUESTION TIME** — (Under Sessional Order 9).

18 **CONSUMER LEGISLATION AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

19 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — LABOR GOVERNMENT CONDUCT** — The Speaker read Mr O'Brien's (*Malvern*) proposal to the House —

'That this House notes the many rorts and scandals of the Andrews Labor Government, including but not limited to:

- (1) the red shirts rort in which the Ombudsman found Labor MPs had wrongly used \$388,000 in taxpayer funds to campaign for Labor, the failure of Labor MPs to cooperate with Victoria Police and \$1.3 million of public money spent by the Labor Government attempting to hinder the Ombudsman in her investigation;
- (2) former Corrections Minister Herbert ordering his pet dogs to be chauffeured in his ministerial vehicle;
- (3) former Speaker Languiller and former Deputy Speaker Nardella misusing the second residence allowance;
- (4) the current investigation into former Deputy President Eideh's office using tens of thousands of taxpayer dollars to pay for bogus Labor Party memberships;
- (5) the policy for preferences scandal during the Northcote by-election involving the then Minister for Agriculture Pulford;
- (6) the Treasurer approving a \$31 billion deal with Transurban whilst having a financial interest in the company;
- (7) spending \$1.7 million on a partisan "Our Fair Share" ad campaign to try to help Bill Shorten get to the Lodge and then failing to amend legislation specifically requested by the Ombudsman and the Independent Broad-based Anti-Corruption Commission to prevent such misuse from occurring again; and
- (8) further notes that with each scandal and rort, Victorians witness another stain on the integrity of the Andrews Labor Government.'

Mr O'Brien (*Malvern*) addressed the House — Discussion followed.

20 **CONSUMER LEGISLATION AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **SUPERANNUATION LEGISLATION AMENDMENT BILL 2019** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to with an amendment.

Bill returned to the Legislative Council and their agreement requested.

- 22 **CHILDREN'S SERVICES AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.25 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 40 — Thursday 17 October 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Aussie Farms — Requesting that the Legislative Assembly addresses the urgent need for stronger protection of law abiding farmers by revoking Aussie Farms' status as a charitable organisation, shutting down the Aussie Farms website and legislating stronger legal protections to appropriately penalise aggressive protesters and trespassers, bearing 117 signatures (*Ms Kealy*)

Community Banks — Requesting that the Legislative Assembly calls on the Government to reverse its mandate for all State Government organisations to close local bank accounts and move their money to a centralised government account with Westpac Sydney branch, bearing 39 signatures (*Ms Kealy*)

Rural and Country Roads and Driver Education — Requesting that Legislative Assembly calls on the Government to ensure investment is made to halt the degradation of our rural road network and increase driver education to reverse the rising road toll on country roads, bearing 156 signatures (*Ms Kealy*)

Rural and Regional Roads Western Victoria — Requesting that the Government provides immediate and urgent funding for rural and regional roads in Western Victoria, bearing 20 signatures (*Ms Kealy*)

Toxic Chemical Waste Dump — Requesting that the Legislative Assembly calls on the Government to direct the EPA to clean up Victoria's largest illegal toxic chemical waste dump, located near Kaniva, bearing 105 signatures (*Ms Kealy*)

Police Facility Cobram — Requesting that the Legislative Assembly calls on the Government to provide funding for the operation of an upgraded police facility in Cobram, bearing 895 signatures (*Mr McCurdy*).

Petitions ordered to be tabled.

- 3 **PETITION — AUSSIE FARMS** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 4 **PETITION — COMMUNITY BANKS** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 5 **PETITION — RURAL AND COUNTRY ROADS AND DRIVER EDUCATION** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 6 **PETITION — RURAL AND REGIONAL ROADS WESTERN VICTORIA** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 7 **PETITION — TOXIC CHEMICAL WASTE DUMP** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 8 **PETITION — POLICE FACILITY COBRAM** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 9 **DOCUMENTS**

OFFICE OF THE PUBLIC ADVOCATE — Report 2018–19 tabled by leave (*Ms Hennessy*).

Ordered to be published.

SENTENCING ADVISORY COUNCIL — Report 2018–19 tabled by leave (*Ms Hennessy*).

VICTORIA LAW FOUNDATION — Report 2018–19 tabled by leave (*Ms Hennessy*).

VICTORIAN LAW REFORM COMMISSION — Report 2018–19 tabled by leave (*Ms Hennessy*).

Ordered to be published.

HAZELWOOD MINE FIRE INQUIRY IMPLEMENTATION OF RECOMMENDATIONS AND AFFIRMATIONS — Report 2018 of the Inspector-General for Emergency Management tabled by leave (*Ms Hennessy on behalf of Ms Neville*).

Ordered to be published.

CONSUMER POLICY RESEARCH CENTRE — Report 2018–19 tabled by leave (*Ms Kairouz*).

ABSOLUTELY EVERYONE: STATE DISABILITY PLAN — Report 2018 tabled by leave (*Mr Foley on behalf of Mr Donnellan*).

VISIT VICTORIA — Report 2018–19 tabled by leave (*Mr Pakula*).

DOCUMENTS TABLED BY COMMAND OF THE GOVERNOR — The Clerk announced that the following documents had been lodged for presentation by Command of the Governor:

Children’s Court of Victoria — Report 2017–18

County Court of Victoria — Report 2018–19

Magistrates’ Court of Victoria — Report 2017–18

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Accident Compensation Conciliation Service — Report 2018–19

Adult, Community and Further Education Board — Report 2018–19

Adult Parole Board — Report 2018–19

Agriculture Victoria Services Pty Ltd — Report 2018–19

Albury Wodonga Health — Report 2018–19

Alexandra Health Service — Report 2018–19

Alfred Health — Report 2018–19

Alpine Health — Report 2018–19

Ambulance Victoria — Report 2018–19

AMES Australia — Report 2018–19

Auditor-General — Cenitex: Meeting Customer Needs for ICT Shared Services — Ordered to be published

Austin Health — Report 2018–19

Australian Centre for the Moving Image (ACMI) — Report 2018–19

Australian Grand Prix Corporation — Report 2018–19

Bairnsdale Regional Health Service — Report 2018–19

Ballarat General Cemeteries Trust — Report 2018–19

Ballarat Health Services — Report 2018–19

Barwon Health — Report 2018–19

Barwon Region Water Corporation — Report 2018–19

Bass Coast Health — Report 2018–19

Beaufort and Skipton Health Service — Report 2018–19

Beechworth Health Service — Report 2018–19

Benalla Health — Report 2018–19

Bendigo Health Care Group — Report 2018–19

Boort District Health — Report 2018–19

Calvary Health Care Bethlehem Ltd — Report 2018–19

Casterton Memorial Hospital — Report 2018–19

Castlemaine Health — Report 2018–19

Cenitex — Report 2018–19

Central Gippsland Health Service — Report 2018–19

Central Gippsland Region Water Corporation — Report 2018–19

Central Highlands Region Water Corporation — Report 2018–19

City West Water Corporation — Report 2018–19

Cobram District Health — Report 2018–19

Cohuna District Hospital — Report 2018–19

Colac Area Health — Report 2018–19

Coliban Region Water Corporation — Report 2018–19

Community Visitors — Report 2018–19 — Ordered to be published

Confiscation Act 1997 — Asset Confiscation Operations Report 2018–19

Consumer Affairs Victoria — Report 2018–19 — Ordered to be published

Corangamite Catchment Management Authority — Report 2018–19

Coronial Council of Victoria — Report 2018–19

Corryong Health — Report 2018–19

Country Fire Authority (CFA) — Report 2018–19

Court Services Victoria — Report 2018–19

Dairy Food Safety Victoria — Report 2018–19

Dental Health Services Victoria — Report 2018–19

Development Victoria — Report 2018–19

Disability Services Commissioner — Report 2018–19

Djerriwarrh Health Services — Report 2018–19

Docklands Studios Melbourne Pty Ltd — Report 2018–19

East Gippsland Catchment Management Authority — Report 2018–19

East Gippsland Region Water Corporation — Report 2018–19

East Grampians Health Service — Report 2018–19

East Wimmera Health Service — Report 2018–19

Eastern Health — Report 2018–19

Echuca Regional Health — Report 2018–19

Edenhope and District Memorial Hospital — Report 2018–19

Education and Training, Department of — Report 2018–19

Emergency Services Superannuation Scheme (ESSSuper) — Report 2018–19

Emergency Services Telecommunications Authority (ESTA) — Report 2018–19

Energy Safe Victoria — Report 2018–19

Environment, Land, Water and Planning, Department of — Report 2018–19

Environment Protection Authority (EPA) — Report 2018–19

Essential Services Commission — Report 2018–19

Fed Square Pty Ltd — Report 2018–19

Film Victoria — Report 2018–19

Financial Management Act 1994:

Reports from the Attorney-General that she had received the reports 2018–19 of the:
Sentencing Advisory Council

Victorian Law Reform Commission

Report from the Minister for Agriculture that she had received the Report 1 July 2018 to 31 January 2019 of the Greater Sunraysia Pest Free Area Industry Development Committee, together with an explanation for the delay

Reports from the Minister for Agriculture that she had received the reports 2018–19 of the:
Phytogene Pty Ltd

Veterinary Practitioners Registration Board of Victoria

Victorian Strawberry Industry Development Committee

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2018–19 of the:

Barwon South West Waste and Resource Recovery Group

Commissioner for Environmental Sustainability

Grampians Central West Waste and Resource Recovery Group

North East Waste and Resource Recovery Group

Reports from the Minister for Health that she had received the reports 2018–19 of the:

Bendigo Cemeteries Trust

Mildura Cemetery Trust

Victorian Assisted Reproductive Treatment Authority

Report from the Acting Minister for Planning that she had received the Report 2018–19 of the
Architects Registration Board of Victoria

Report from the Minister for Planning that he had received the Report 2018–19 of the
Heritage Council of Victoria

Report from the Minister for Prevention of Family Violence that she had received the Report
2018–19 of the Queen Victoria Women's Centre Trust

Forensic Leave Panel — Report 2018

Game Management Authority — Report 2018–19

Geelong Cemeteries Trust — Report 2018–19

Geoffrey Gardiner Dairy Foundation Ltd — Report 2018–19

Gippsland and Southern Rural Water Corporation — Report 2018–19

Gippsland Southern Health Service — Report 2018–19

Glenelg Hopkins Catchment Management Authority — Report 2018–19

Goulburn Broken Catchment Management Authority — Report 2018–19

Goulburn-Murray Rural Water Corporation — Report 2018–19

Goulburn Valley Health (GV Health) — Report 2018–19

Goulburn Valley Region Water Corporation — Report 2018–19

Grampians Wimmera Mallee Water Corporation (GWM Water) — Report 2018–19

Greater Metropolitan Cemeteries Trust — Report 2018–19

Greyhound Racing Victoria — Report 2018–19

Harness Racing Victoria — Report 2018–19

Health and Human Services, Department of — Report 2018–19

Health Purchasing Victoria — Report 2018–19

Heathcote Health — Report 2018–19

Hepburn Health Service — Report 2018–19

Hesse Rural Health Service — Report 2018–19

Heywood Rural Health Service — Report 2018–19

Infrastructure Victoria— Report 2018–19

Inglewood and Districts Health Service — Report 2018–19

Jobs, Precincts and Regions, Department of — Report 2018–19

Justice and Community Safety, Department of — Report 2018–19

Kardinia Park Stadium Trust — Report 2018–19

Kerang District Health — Report 2018–19

Kilmore and District Hospital — Report 2018–19

Kyabram District Health Service — Report 2018–19

Kyneton District Health Service — Report 2018–19

Latrobe Regional Hospital — Report 2018–19

Latrobe Valley Mine Rehabilitation Commissioner — Report 2018–19

Legal Practitioners' Liability Committee — Report 2018–19

Library Board of Victoria — Report 2018–19

Lorne Community Hospital — Report 2018–19 (two documents)

Lower Murray Urban and Rural Water Corporation — Report 2018–19

Maldon Hospital — Report 2018–19

Mallee Catchment Management Authority — Report 2018–19

Mallee Track Health and Community Service — Report 2018–19

Mansfield District Hospital — Report 2018–19

Maryborough District Health Service — Report 2018–19

Melbourne and Olympic Parks Trust — Report 2018–19

Melbourne Convention and Exhibition Centre — Report 2018–19

Melbourne Health — Report 2018–19

Melbourne Market Authority — Report 2018–19

Melbourne Port Lessor Pty Ltd — Report 2018–19

Melbourne Recital Centre — Report 2018–19

Melbourne Water Corporation — Report 2018–19

Mental Health Complaints Commissioner — Report 2018–19

Mental Health Tribunal — Report 2018–19

Mercy Hospitals Victoria Ltd — Report 2018–19

Metropolitan Fire and Emergency Services Board (MFB) — Report 2018–19

Monash Health — Report 2018–19

Moyne Health Services — Report 2018–19

Museums Board of Victoria — Report 2018–19

Nathalia District Hospital — Report 2018–19

National Gallery of Victoria (NGV) — Report 2018–19

National Parks Act 1975 — Report 2018–19 on the working of the Act

National Parks Advisory Council — Report 2018–19

National Rail Safety Regulator, Office of — Report 2018–19

North Central Catchment Management Authority — Report 2018–19

North East Catchment Management Authority — Report 2018–19

North East Region Water Corporation — Report 2018–19

Northeast Health Wangaratta — Report 2018–19

Northern Health — Report 2018–19

Numurkah District Health Service — Report 2018–19

Omeo District Health — Report 2018–19

Orbost Regional Health — Report 2018–19

Otway Health — Report 2018–19 (two documents)

Parks Victoria — Report 2018–19

Peninsula Health — Report 2018–19

Peter MacCallum Cancer Centre — Report 2018–19

Phillip Island Nature Parks — Report 2018–19

Police Registration and Services Board — Report 2018–19

Port Phillip and Westernport Catchment Management Authority — Report 2018–19

Portable Long Service Benefits Authority — Report 2018–19

Portland District Health — Report 2018–19

Post Sentence Authority — Report 2018–19

Premier and Cabinet, Department of — Report 2018–19

PrimeSafe — Report 2018–19

Public Interest Monitor — Report 2018–19

Public Prosecutions, Office of — Report 2018–19

Public Record Office Victoria — Report 2018–19

Public Transport Development Authority (PTV) — Report 2018–19

Queen Elizabeth Centre — Report 2018–19

Racing Integrity Commissioner — Report 2018–19

Radiation Advisory Committee — Report 2018–19

Regional Development Victoria — Report 2018–19

Residential Tenancies Bond Authority — Report 2018–19

Road Safety Camera Commissioner — Report 2018–19

Roads Corporation (VicRoads) — Report 2018–19

Robinvale District Health Services — Report 2018–19

Rochester and Elmore District Health Service — Report 2018–19

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2018–19

Rolling Stock (Victoria-VL) Pty Ltd — Report 2018–19

Rolling Stock (VL-1) Pty Ltd — Report 2018–19

Rolling Stock (VL-2) Pty Ltd — Report 2018–19

Rolling Stock (VL-3) Pty Ltd — Report 2018–19

Royal Botanic Gardens Board Victoria — Report 2018–19

Royal Children’s Hospital — Report 2018–19

Royal Victorian Eye and Ear Hospital — Report 2018–19

Royal Women’s Hospital — Report 2018–19

Rural Northwest Health — Report 2018–19

Seymour Health — Report 2018–19

Shrine of Remembrance Trustees — Report 2018–19

South East Water Corporation — Report 2018–19

South Gippsland Hospital — Report 2018–19

South Gippsland Region Water Corporation — Report 2018–19

South West Healthcare — Report 2018–19

Southern Metropolitan Cemeteries Trust — Report 2018–19

St Vincent’s Hospital (Melbourne) Ltd — Report 2018–19

State Electricity Commission of Victoria — Report 2018–19

State Sport Centres Trust — Report 2018–19

State Trustees Ltd — Report 2018–19

Statutory Rule under the *Road Safety Act 1986* — SR 96

Stawell Regional Health — Report 2018–19

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 91

Swan Hill District Health — Report 2018–19 (two documents)

Tallangatta Health Service — Report 2018–19

Terang and Mortlake Health Service — Report 2018–19

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- Timboon and District Healthcare Service — Report 2018–19
- Transport Accident Commission (TAC) — Report 2018–19
- Transport, Department of — Report 2018–19
- Treasury and Finance, Department of — Report 2018–19
- Treasury Corporation of Victoria — Report 2018–19
- Tweddle Child and Family Health Service — Report 2018–19
- V/Line Corporation — Report 2018–19
- VicForests — Report 2018–19
- Victims of Crime Assistance Tribunal — Report 2018–19
- Victims of Crime Commissioner — Report 2018–19
- Victoria Grants Commission — Report year ended 31 August 2019
- Victoria Legal Aid — Report 2018–19
- Victoria Police — Report 2018–19
- Victoria Police, Chief Commissioner — Report 2018–19 under s 148R of the *Liquor Control Reform Act 1998*
- Victoria State Emergency Service Authority (SES) — Report 2018–19
- Victorian Arts Centre Trust — Report 2018–19
- Victorian Broiler Industry Negotiation Committee — Report 2018–19
- Victorian Building Authority — Report 2018–19
- Victorian Catchment Management Council — Report 2018–19
- Victorian Civil and Administrative Tribunal (VCAT) — Report 2018–19
- Victorian Commission for Gambling and Liquor Regulation — Report 2018–19
- Victorian Curriculum Assessment Authority — Report 2018–19
- Victorian Environmental Assessment Council — Report 2018–19
- Victorian Environmental Water Holder — Report 2018–19

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- Victorian Equal Opportunity and Human Rights Commission — Report 2018–19 — Ordered to be published
- Victorian Fisheries Authority — Report 2018–19
- Victorian Funds Management Corporation — Report 2018–19
- Victorian Government Purchasing Board — Report 2018–19
- Victorian Health Promotion Foundation (VicHealth) — Report 2018–19
- Victorian Information Commissioner, Office of (OVIC) — Report 2018–19
- Victorian Institute of Forensic Medicine — Report 2018–19
- Victorian Institute of Forensic Mental Health (Forensicare) — Report 2018–19
- Victorian Institute of Teaching — Report 2018–19
- Victorian Legal Services Board and Victorian Legal Services Commissioner — Report 2018–19 — Ordered to be published
- Victorian Managed Insurance Authority — Report 2018–19
- Victorian Marine and Coastal Council — Report 1 August 2018 to 30 June 2019
- Victorian Multicultural Commission — Report 2018–19
- Victorian Pharmacy Authority — Report 2018–19
- Victorian Planning Authority — Report 2018–19
- Victorian Plantations Corporation — Report 2018–19
- Victorian Ports Corporation (Melbourne) — Report 2018–19
- Victorian Public Sector Commission — Report 2018–19
- Victorian Rail Track (VicTrack) — Report 2018–19
- Victorian Regional Channels Authority — Report 2018–19
- Victorian Registration and Qualifications Authority — Report 2018–19
- Victorian Responsible Gambling Foundation — Report 2018–19
- Victorian Small Business Commission — Report 2018–19 — Ordered to be published

Victorian Veterans Council — Report 2018–19

Victorian WorkCover Authority (WorkSafe Victoria) — Report 2018–19

Wannon Region Water Corporation — Report 2018–19

West Gippsland Catchment Management Authority — Report 2018–19

West Gippsland Healthcare Group — Report 2018–19

West Wimmera Health Service — Report 2018–19

Western District Health Service — Report 2018–19

Western Health — Report 2018–19

Western Region Water Corporation — Report 2018–19

Westernport Region Water Corporation — Report 2018–19

Wimmera Catchment Management Authority — Report 2018–19

Wimmera Health Care Group — Report 2018–19

Yarra Valley Water Corporation — Report 2018–19

Yarram and District Health Service — Report 2018–19

Yarrawonga Health — Report 2018–19

Yea and District Memorial Hospital — Report 2018–19

Youth Parole Board — Report 2018–19

Zoological Parks and Gardens Board — Report 2018–19.

10 **PERFORMANCE AUDIT OF THE AUDITOR-GENERAL AND THE VICTORIAN AUDITOR-GENERAL'S OFFICE** — Motion made, by leave, and question — That:

- (1) Under section 82 of the *Audit Act 1994*, Mr Paul Houliston, Managing Partner, Allen and Clarke Consulting be appointed:
 - (a) to conduct the performance audit of the Auditor-General and the Victorian Auditor-General's Office in 2019–20;
 - (b) in accordance with the terms, conditions and specifications as set out in the Request for Tender issued by the Public Accounts and Estimates Committee on 7 August 2019; and

(c) at a fixed fee of \$271,475 (excluding GST).

(2) A message be sent to the Legislative Council requesting their agreement

(Ms Allan) — put and agreed to.

11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 29 October 2019 *(Ms Allan)* — put and agreed to.

12 **STATEMENTS BY MEMBERS** — Members made statements.

13 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL APPEALS) BILL 2019** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time *(Ms Hennessy)*.

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned *(Mr Wells)* — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 31 October 2019.

14 **CHILDREN'S SERVICES AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

15 **QUESTION TIME** — (Under Sessional Order 9).

16 **CHILDREN'S SERVICES AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 15 October 2019 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

17 **CONSUMER LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **POLICE LEGISLATION AMENDMENT (ROAD SAFETY CAMERA COMMISSIONER AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **LAND (REVOCAION OF RESERVATIONS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 5 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.25 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 41, 42 and 43

No 41 — Tuesday 29 October 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **BUILDING AND ENVIRONMENT PROTECTION LEGISLATION AMENDMENT BILL 2019** — Mr Wynne obtained leave to bring in ‘*A Bill for an Act to amend the **Architects Act 1991**, the **Building Act 1993** and the **Environment Protection Amendment Act 2018** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **WORKPLACE SAFETY LEGISLATION AMENDMENT (WORKPLACE MANSLAUGHTER AND OTHER MATTERS) BILL 2019** — Ms Hennessy obtained leave to bring in ‘*A Bill for an Act to amend the **Occupational Health and Safety Act 2004** to provide for offences of workplace manslaughter and to provide for the establishment of the Workplace Incidents Consultative Committee, to amend the **Workplace Injury Rehabilitation and Compensation Act 2013** in relation to the Board of Management of the Victorian WorkCover Authority and to make consequential amendments to certain other Acts and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **RETAIL LEASES AMENDMENT BILL 2019** — Mr Pakula obtained leave to bring in ‘*A Bill for an Act to amend the **Building Act 1993** and the **Retail Leases Act 2003** in relation to the obligations of landlords and tenants under retail premises leases in respect of essential safety measures and various other matters and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **TRANSPORT LEGISLATION AMENDMENT BILL 2019** — Ms Allan obtained leave to bring in ‘*A Bill for an Act to amend the **Transport Integration Act 2010**, the **Road Safety Act 1986**, the **Accident Towing Services Act 2007**, the **Heavy Vehicle National Law Application Act 2013**, the **Road Management Act 2004** and the **Transport (Compliance and Miscellaneous) Act 1983**, to make consequential amendments to other Acts and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny tabled the Alert Digest No 13 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Building Amendment (Cladding Rectification) Bill 2019

Dangerous Goods Amendment (Penalty Reform) Bill 2019
 Energy Safety Legislation Amendment (Victorian Energy Safety Commission and Other Matters) Bill 2019
 Environment Protection Amendment (Refund on Bottles and Cans) Bill 2019
 Justice Legislation Amendment (Criminal Appeals) Bill 2019
 Justice Legislation Amendment (Serious Offenders and Other Matters) Bill 2019
 Melbourne Strategic Assessment (Environment Mitigation Levy) Bill 2019
 Road Safety Amendment (Medicinal Cannabis) Bill 2019
 State Taxation Acts Further Amendment Bill 2019
 Wildlife Amendment (Protection of Birds) Bill 2019

together with appendices.

Ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Blandthorn, Chair, tabled a report from the Public Accounts and Estimates Committee on the 2019–20 Budget Estimates, together with appendices and transcripts of evidence.

Report and appendices ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Health Complaints Commissioner — Report 2018–19

Independent Broad-based Anti-corruption Commission — Report 2018–19 — Ordered to be published

LanguageLoop — Report 2018–19

Occupational Health and Safety Act 2004 — Report of requests under s 11

Ombudsman — Report 2018–19 — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C303
 Frankston — C127
 Greater Dandenong — C207
 Greater Geelong — C388
 Greater Shepparton — C220
 Mitchell — C130, C138
 Moorabool — C94
 Mornington Peninsula — C214
 Nillumbik — C123
 Queenscliffe — C32

Wangaratta — C71
Wellington — C103
Yarra — C267

Renewable Energy (Jobs and Investment) Act 2017 — Victorian Renewable Energy Target 2018–19 Progress Report

Statutory Rules under the following Acts:

Coroners Act 2008 — SR 97
Estate Agents Act 1980 — SR 98
Health Services Act 1988 — SR 99
Road Safety Act 1986 — SR 100

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 87, 95, 96, 97, 100
Documents under s 16B in relation to — *Commercial Passenger Vehicle Industry Act 2017* — Notice of Approval of Victorian Commercial Passenger Vehicle Code of Practice Part 1: Risk Culture and Safety Management

Victorian Electoral Commission:

Report 2018–19
Report to Parliament on the 2018 Victorian State election

Workplace Injury Rehabilitation and Compensation Act 2013 — Report of requests under s 595.

PROCLAMATION — Under Sessional Order 16, the Clerk tabled the following proclamation fixing operative dates:

Transport Legislation Amendment (Road Safety, Rail and Other Matters) Act 2017 — Parts 2.5 and 2.6, Division 2 of Part 2.7 and ss 71 and 73 — 29 October 2019; remaining provisions — 1 December 2019 (*Gazette S424, 22 October 2019*).

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Renewable Energy (Jobs and Investment) Amendment Bill 2019 with amendments.

Ordered — That the amendments be taken into consideration tomorrow.

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Legislative Assembly's amendment to the Council's amendment in the Superannuation Legislation Amendment Bill 2019.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Health Legislation Amendment and Repeal Bill 2019 without amendment.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Legislative Assembly's resolution on 17 October 2019 appointing Mr Paul Houlston to conduct the performance audit of the Auditor-General and the Victorian Auditor-General's Office.

12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 22 October 2019, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Health Legislation Amendment and Repeal Bill 2019
 Marine and Fisheries Legislation Amendment Bill 2019
 Superannuation Legislation Amendment Bill 2019.

13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Building Amendment (Cladding Rectification) Bill 2019
 Energy Safety Legislation Amendment (Victorian Energy Safety Commission and Other Matters) Bill 2019
 Justice Legislation Amendment (Serious Offenders and Other Matters) Bill 2019
 State Taxation Acts Further Amendment Bill 2019.

14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 31 October 2019:

Building Amendment (Cladding Rectification) Bill 2019
 Justice Legislation Amendment (Criminal Appeals) Bill 2019
 Justice Legislation Amendment (Serious Offenders and Other Matters) Bill 2019
 Melbourne Strategic Assessment (Environment Mitigation Levy) Bill 2019
 State Taxation Acts Further Amendment Bill 2019

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Ben Carroll; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 29

Neil Angus; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien;

Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallenge; Peter Walsh; Kim Wells.

Question agreed to.

15 **STATEMENTS BY MEMBERS** — Members made statements.

16 **JUSTICE LEGISLATION AMENDMENT (SERIOUS OFFENDERS AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Southwick announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

17 **MELBOURNE STRATEGIC ASSESSMENT (ENVIRONMENT MITIGATION LEVY) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Government has demonstrated to Victorians that:

- (1) the significant tax increases proposed by the Bill, and for which no mandate was sought at the 2018 election, can be justified;
- (2) the excessive fee increases proposed by this Bill for the various habitat types including 26.4 per cent for the Golden Sun Moth, 19.3 per cent for Native Vegetation, and 19.3 per cent for Scattered Trees will not result in higher purchase prices for homebuyers; and
- (3) that all monies held in the proposed Melbourne Strategic Assessment Fund will be expended in a timely manner and not used to protect the bottom line of the State Budget'

(*Mr Morris*) — and, after debate —

Business was interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 42 — Wednesday 30 October 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Robinvale-Sea Lake Road** — Requesting that the Legislative Assembly calls on the Government to make available adequate funds to bring the Robinvale-Sea Lake Road up to standard therefore removing the need to lower the speed limit on the road to 80 km/h, bearing 539 signatures (*Ms Cupper*).
- Ordered to be tabled.
- 3 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents under an Act of Parliament:
- Subordinate Legislation Act 1994* — Documents under s 16B in relation to the *Privacy and Data Protection Act 2014* — Victorian Protective Data Security Standards.
- 4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:
- Primary Industries Legislation Amendment Bill 2019
 Rail Safety Legislation Amendment (National Services Delivery and Related Reforms) Bill 2019.
- 5 **STATEMENTS BY MEMBERS** — Members made statements.
- 6 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.
- 7 **BUILDING AND ENVIRONMENT PROTECTION LEGISLATION AMENDMENT BILL 2019** — Mr Wynne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.
- Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 13 November 2019.

- 8 **WORKPLACE SAFETY LEGISLATION AMENDMENT (WORKPLACE MANSLAUGHTER AND OTHER MATTERS) BILL 2019** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 13 November 2019.

- 9 **RETAIL LEASES AMENDMENT BILL 2019** — Mr Pakula tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 13 November 2019.

- 10 **TRANSPORT LEGISLATION AMENDMENT BILL 2019** — Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for 13 days. Debate adjourned until Tuesday 12 November 2019.

- 11 **RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 12 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 13 **QUESTION TIME** — (Under Sessional Order 9).

- 14 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this Bill be withdrawn and redrafted to:

- (1) take into account further consultation and modelling about the proposed changes to the *Duties Act 2000*, the *Land Tax Act 2005* and the *Valuation of Land Act 1960*; and
- (2) retain the remaining provisions of the Bill’

(*Ms Staley*) — and, after debate —

Business was interrupted at 2.00 pm under sessional orders.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — MENTAL ILLNESS IN VICTORIA** — The Speaker read Mr Halse’s proposal to the House —

‘That this House notes that nearly half of all Victorians will experience a mental illness in their lifetime and around one in five Victorians will experience mental illness this year alone and therefore:

- (1) The Andrews Labor Government has acknowledged how broken the mental health system is and has committed to a long-term vision to improve mental health services for Victorians, including the Royal Commission into Victoria’s Mental Health System and the commitment to implement all recommendations.
- (2) This House calls on all members to start conversations within their communities around mental health with a goal of ending the stigma and discrimination associated with mental ill-health still experienced by so many Victorians.’

Mr Halse addressed the House — Discussion followed.

- 16 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **BUILDING AMENDMENT (CLADDING RECTIFICATION) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.26 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 43 — Thursday 31 October 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Restore Historic Park in Camberwell Junction — Requesting that the Legislative Assembly calls on the Government to work with Boroondara City Council to dedicate a segment of Reserve Road, Camberwell and adjacent Crown land to restore the historic park in Camberwell Junction with playgrounds and community facilities, and to restore the original permanent reservation of Crown land allotment 113C for public gardens as it was from 1882 to 1969, bearing 1052 signatures (*Mr Kennedy*).

Ordered to be tabled.

- 3 **DOCUMENTS**

PRIVILEGES COMMITTEE — Ms Neville, Chair, tabled a report from the Privileges Committee on Dealing with alleged contraventions of the requirements of the Code of Conduct and the Register of Interests.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Australian Criminal Intelligence Commission — Report 2018–19 under s 30L of the *Surveillance Devices Act 1999*

Commercial Passenger Vehicle Commission — Report 2018–19

Commission for Children and Young People — Report 2018–19 — Ordered to be published

Emerald Tourist Railway Board — Report 2018–19

Financial Management Act 1994:

Report from the Minister for Energy, Environment and Climate Change that she had not received the report 2018–19 of the Yorta Yorta Traditional Owner Land Management Board, together with an explanation for the delay

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2018–19 of the:

Alpine Resorts Co-ordinating Council

Caulfield Racecourse Reserve Trust

Dhelkunya Dja Land Management Board

Gippsland Waste and Resource Recovery Group

Goulburn Valley Waste and Resource Recovery Group

Loddon Mallee Waste and Resource Recovery Group

Independent Broad-based Anti-corruption Commission — Report 2018–19 under s 30L of the *Surveillance Devices Act 1999*

Metropolitan Waste and Resource Recovery Group — Report 2018–19

Statutory Rules under the following Acts:

Guardianship and Administration Act 1986 — SR 101

Road Safety Act 1986 — SR 104

Subordinate Legislation Act 1994 — SRs 102, 103, 105

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 92, 98, 101

Sustainability Victoria — Report 2018–19

Trust for Nature (Victoria) — Report 2018–19

Victoria Police — Report 2018–19 under s 30L of the *Surveillance Devices Act 1999*

Victorian Fisheries Authority — Report 2018–19 under s 30L of the *Surveillance Devices Act 1999*

Victorian Inspectorate — Report 2018–19.

4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 12 November 2019 (*Ms Allan*) — put and agreed to.

5 **STATEMENTS BY MEMBERS** — Members made statements.

6 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.

7 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL APPEALS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

8 **QUESTION TIME** — (Under Sessional Order 9).

9 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL APPEALS) BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 29 October 2019 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 77

Juliana Addison; Jacinta Allan; Daniel Andrews; Neil Angus; Brad Battin; Lizzie Blandthorn; Chris Brayne; Roma Britnell; Josh Bull; Tim Bull; Neale Burgess; Anthony Carbines; Ben Carroll; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Matthew Guy; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; David Hodgett; Melissa Horne; Natalie Hutchins; Marlene Kairouz; Emma Kealy; John Kennedy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Frank McGuire; Cindy McLeish; James Merlino; David Morris; Lisa Neville; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Brad Rowswell; Steph Ryan; Robin Scott; Michaela Settle; Ryan Smith; Tim Smith; David Southwick; Ros Spence; Nick Staikos; Louise Staley; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Vicki Ward; Kim Wells; Richard Wynne.

NOES 4

Sam Hibbins; Tim Read; Ellen Sandell; Suzanna Sheed.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 10 **BUILDING AMENDMENT (CLADDING RECTIFICATION) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted and replaced with the words 'this Bill be withdrawn and redrafted to: (1) take into account further consultation and modelling about the proposed changes to the *Duties Act 2000*, the *Land Tax Act 2005* and the *Valuation of Land Act 1960*; and (2) retain the remaining provisions of the Bill'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **JUSTICE LEGISLATION AMENDMENT (SERIOUS OFFENDERS AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **MELBOURNE STRATEGIC ASSESSMENT (ENVIRONMENT MITIGATION LEVY) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Government has demonstrated to Victorians that: (1) the significant tax increases proposed by the Bill, and for which no mandate was sought at the 2018 election, can be justified; (2) the excessive fee increases proposed by this Bill for the various habitat types including 26.4 per cent for the Golden Sun Moth, 19.3 per cent for Native Vegetation, and 19.3 per cent for Scattered Trees will not result in higher purchase prices for homebuyers; and (3) all monies held in the

proposed Melbourne Strategic Assessment Fund will be expended in a timely manner and not used to protect the bottom line of the State Budget’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.25 pm under sessional orders.

- 14 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.54 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 44, 45 and 46

No 44 — Tuesday 12 November 2019

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **QUESTION TIME** — (Under Sessional Order 9).

3 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2019** — Ms D'Ambrosio obtained leave to bring in '*A Bill for an Act to amend the **Conservation, Forests and Lands Act 1987**, the **Crown Land (Reserves) Act 1978**, the **Forests Act 1958**, the **Land Act 1958**, the **Mineral Resources (Sustainable Development) Act 1990**, the **National Parks Act 1975**, the **Parks Victoria Act 2018**, the **Wildlife Act 1975** and the **Zoological Parks and Gardens Act 1995** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **FORESTS LEGISLATION AMENDMENT (COMPLIANCE AND ENFORCEMENT) BILL 2019** — Ms D'Ambrosio obtained leave to bring in '*A Bill for an Act to amend the **Forests Act 1958**, the **Sustainable Forests (Timber) Act 2004** and the **Conservation, Forests and Lands Act 1987** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

5 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Mount Waverley North Primary School — Requesting that the Legislative Assembly calls on the Minister for Education to strongly consider Mount Waverley North Primary School's Inclusive Schools Fund application so a new covered and resurfaced outdoor learning area can be built, making it accessible for students and family members with wheelchairs and walking aids, bearing 203 signatures (*Mr Fregon*).

Ordered to be tabled.

6 **DOCUMENTS**

PARLIAMENTARY BUDGET OFFICE — Ms Blandthorn, Chair, Public Accounts and Estimates Committee, tabled the Parliamentary Budget Office Report 2018–19.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 14 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Building and Environment Protection Legislation Amendment Bill 2019

Commercial Passenger Vehicle Industry Amendment Bill 2019
 Environment Protection Amendment (Refund on Bottles and Cans) Bill 2019
 Justice Legislation Amendment (Serious Offenders and Other Matters) Bill 2019
 Planning and Environment Amendment (Local Democracy) Bill 2019
 Retail Leases Amendment Bill 2019
 Transport Legislation Amendment Bill 2019
 Workplace Safety Legislation Amendment (Workplace Manslaughter and Other Matters) Bill 2019
 SR No 61 — Marine Safety Amendment (Expiry Date) Interim Regulations 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Mount Anakie Reserve
 Orders under s 17D granting leases over:
 Power House Amateur Football Club Inc
 South Melbourne Women's Football Club Inc

Financial Management Act 1994:

Report from the Minister for Energy, Environment and Climate Change that she had received the Report 2018–19 of the Gunaikurnai Traditional Owner Land Management Board
 Report from the Minister for Planning that he had received the Report 2018–19 of the Surveyors Registration Board of Victoria

Geelong Performing Arts Centre Trust — Report 2018–19

Kooweerup Regional Health Service — Report 2018–19

National Health Funding Pool, Administrator of — Report 2018–19

National Health Practitioner Ombudsman and Privacy Commissioner — Report 2018–19

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C307
 Kingston — C132
 Macedon Ranges — C125
 Moreland — C178, C185
 Yarra Ranges — C185

Professional Standards Act 2003 — CPA Australia Ltd Professional Standards (Accountants) Scheme (*Gazette S423, 22 October 2019*)

Retail Leases Act 2003 — Notice of Determination of premises not constituting retail premises (*Gazette S435, 30 October 2019*)

Statutory Rules under the following Acts:

County Court Act 1958 — SR 106

Planning and Environment Act 1987 — SR 107

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 99, 102, 103, 104, 105, 106, 107

Documents under s 16B in relation to:

Fisheries Act 1995 — Amendment to the Initial Quota Order for the Giant Crab Fishery in the Western Zone

Marine Safety Act 2010 — Code of practice for yacht clubs which manage 'boating activity events'.

PROCLAMATIONS — Under Sessional Order 16, the Clerk tabled the following proclamations fixing operative dates:

Justice Legislation Amendment (Family Violence Protection and Other Matters) Act 2018 — s 42 — 11 November 2019 (*Gazette S446, 6 November 2019*)

Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Act 2019 — s 11 — 3 November 2019 (*Gazette S434, 29 October 2019*).

- 7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Children's Services Amendment Bill 2019

Dangerous Goods Amendment (Penalty Reform) Bill 2019

Police Legislation Amendment (Road Safety Camera Commissioner and Other Matters) Bill 2019.

- 8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 6 November 2019, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Children's Services Amendment Bill 2019

Dangerous Goods Amendment (Penalty Reform) Bill 2019

Police Legislation Amendment (Road Safety Camera Commissioner and Other Matters) Bill 2019

Primary Industries Legislation Amendment Bill 2019

Rail Safety Legislation Amendment (National Services Delivery and Related Reforms) Bill 2019

Renewable Energy (Jobs and Investment) Amendment Bill 2019.

- 9 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Transport Legislation Amendment Bill 2019

Workplace Safety Legislation Amendment (Workplace Manslaughter and Other Matters) Bill 2019.

- 10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 14 November 2019:

Energy Safety Legislation Amendment (Victorian Energy Safety Commission and Other Matters) Bill 2019

Transport Legislation Amendment Bill 2019

Workplace Safety Legislation Amendment (Workplace Manslaughter and Other Matters) Bill 2019

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 30

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 11 **STATEMENTS BY MEMBERS** — Members made statements.
- 12 **TRANSPORT LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Ms Halfpenny)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **ENERGY SAFETY LEGISLATION AMENDMENT (VICTORIAN ENERGY SAFETY COMMISISON AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 14 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 45 — Wednesday 13 November 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **LOCAL GOVERNMENT BILL 2019** — Ms Kairouz obtained leave to bring in ‘*A Bill for an Act to reform the law relating to local government in Victoria, to repeal the **City of Greater Geelong Act 1993**, to amend the **City of Melbourne Act 2001**, the **Local Government Act 1989**, the **Victoria Grants Commission Act 1976** and the **Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019**, and to consequentially amend certain other Acts and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Bus Service on Phillip Island** — Requesting that the Legislative Assembly calls on the Government to support a public town bus service on Phillip Island, bearing 1710 signatures (*Ms Crugnale*).
- Ordered to be tabled.
- 4 **PETITION — BUS SERVICE ON PHILLIP ISLAND** — Motion made and question — That the petition presented by the Member for Bass be taken into consideration tomorrow (*Ms Crugnale*) — put and agreed to.
- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:
- Auditor-General:
- Council Libraries — Ordered to be published

Report on the Annual Financial Report of the State of Victoria: 2018–19 — Ordered to be published

Commission for Children and Young People — Lost, not forgotten: Inquiry into children who died by suicide and were known to Child Protection — Ordered to be published

Ombudsman — Investigation into improper conduct by a Council employee at the Mildura Cemetery Trust — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — GC146

Baw Baw — C133

Corangamite — GC146

Golden Plains — GC146

Hepburn — GC146

Moorabool — GC146

Rail Safety National Law Application Act 2013 — Rail Safety National Law National Regulations (Application of Law) Variation Regulations 2019.

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Building Amendment (Cladding Rectification) Bill 2019 without amendment.

7 **STATEMENTS BY MEMBERS** — Members made statements.

8 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.

9 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2019** — Ms D’Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D’Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 27 November 2019.

10 **FORESTS LEGISLATION AMENDMENT (COMPLIANCE AND ENFORCEMENT) BILL 2019** — Ms D’Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 27 November 2019.

- 11 **ENERGY SAFETY LEGISLATION AMENDMENT (VICTORIAN ENERGY SAFETY COMMISSION AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 12 **QUESTION TIME** — (Under Sessional Order 9).

- 13 **ENERGY SAFETY LEGISLATION AMENDMENT (VICTORIAN ENERGY SAFETY COMMISSION AND OTHER MATTERS) BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 14 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 15 **ENERGY SAFETY LEGISLATION AMENDMENT (VICTORIAN ENERGY SAFETY COMMISSION AND OTHER MATTERS) BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **WORKPLACE SAFETY LEGISLATION AMENDMENT (WORKPLACE MANSLAUGHTER AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Andrews Labor Government has fully addressed concerns regarding:

- (1) the exclusion of employees and co-workers as applicable duty holders;
- (2) the privilege against self-incrimination in relation to the production of documents;

- (3) the attribution of criminally negligent conduct of employees and other duty holders to a body corporate;
- (4) the application of the offence to family businesses; and
- (5) the exclusion of senior officers of the Crown as applicable duty holders —

while noting the House's support for improving workplace safety' (*Mr Wakeling*) — and, after debate —

Business was interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.26 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 46 — Thursday 14 November 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Tatura Township Water Fluoridation — Requesting that the Legislative Assembly calls on the Government to advise the relevant authorities that all works be halted and no further action be taken to fluoridate the public water in the town of Tatura, bearing 1905 signatures (*Ms Sheed*).

Ordered to be tabled.

- 3 **DOCUMENTS**

JUDICIAL COLLEGE OF VICTORIA — Report 2018–19 tabled by leave (*Ms Hennessy*).

JUDICIAL COMMISSION OF VICTORIA — Report 2018–19 tabled by leave (*Ms Hennessy*).

PROFESSIONAL STANDARDS COUNCILS — Report 2018–19 (two documents) tabled by leave (*Ms Hennessy*).

STANDING ORDERS COMMITTEE — Ms Edwards tabled a report from the Standing Orders Committee on a Review of the Standing Orders, together with appendices.

Ordered to be published.

PRIVILEGES COMMITTEE — Mr Morris, Deputy Chair, tabled a report from the Privileges Committee on a person referred to in the Legislative Assembly — Cr Peter Clarke, together with an appendix.

Ordered to be published.

DOCUMENTS TABLED BY COMMAND OF THE GOVERNOR — The Clerk announced that the following documents had been lodged for presentation by Command of the Governor:

Children's Court of Victoria — Report 2018–19
Magistrates' Court of Victoria — Report 2018–19
Supreme Court of Victoria — Report 2017–19

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Coroners Court of Victoria — Report 2018–19

Financial Management Act 1994:

Report from the Minister for Agriculture that she had received the Report 2018–19 of the Murray Valley Winegrape Industry Development Committee, together with an explanation for the delay

Reports from the Attorney-General that she had received the reports 2018–19 of the:

Judicial College of Victoria
Judicial Commission of Victoria
Professional Standards Council

Legal Services Council and Commissioner for Uniform Legal Services Regulation — Reports 2018–19

Victoria Police:

Report 2018–19 under s 37F of the *Terrorism (Community Protection) Act 2003*

Report 2018–19 under s 133 of the *Criminal Organisations Control Act 2012*

Victorian Equal Opportunity and Human Rights Commission — Report 2018 on the operation of the Charter of Human Rights and Responsibilities — Ordered to be published.

- 4 **LEGAL AND SOCIAL ISSUES STANDING COMMITTEE** — Motion made, by leave, and question — That Mr Tilley be discharged from the Legal and Social Issues Standing Committee and that Mr Southwick be a member in his place (*Ms Allan*) — put and agreed to.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 26 November 2019 (*Ms Allan*) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Members made statements.

7 **LOCAL GOVERNMENT BILL 2019** — Ms Kairouz tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 28 November 2019.

8 **WORKPLACE SAFETY LEGISLATION AMENDMENT (WORKPLACE MANSLAUGHTER AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Andrews Labor Government has fully addressed concerns regarding: (1) the exclusion of employees and co-workers as applicable duty holders; (2) the privilege against self-incrimination in relation to the production of documents; (3) the attribution of criminally negligent conduct of employees and other duty holders to a body corporate; (4) the application of the offence to family businesses; and (5) the exclusion of senior officers of the Crown as applicable duty holders — while noting the House’s support for improving workplace safety’; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

9 **QUESTION TIME** — (Under Sessional Order 9).

10 **WORKPLACE SAFETY LEGISLATION AMENDMENT (WORKPLACE MANSLAUGHTER AND OTHER MATTERS) BILL 2019** — Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 12 November 2019 had expired.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 58

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 58

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **TRANSPORT LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **ENERGY SAFETY LEGISLATION AMENDMENT (VICTORIAN ENERGY SAFETY COMMISSION AND OTHER MATTERS) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.09 pm under sessional orders.

- 13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 47, 48 and 49

No 47 — Tuesday 26 November 2019

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019** — Ms D'Ambrosio obtained leave to bring in '*A Bill for an Act to recognise the importance of the landscapes and seascapes along the Great Ocean Road to the economic prosperity and liveability of Victoria and as one living and integrated natural entity for the purposes of protecting the region, to establish a Great Ocean Road Coast and Parks Authority to which various land management responsibilities are to be transferred and to make related and consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **ROAD SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2019** — Ms Neville obtained leave to bring in '*A Bill for an Act to amend the **Road Safety Act 1986** to provide for immediate licence or permit suspensions in certain cases and to make consequential and related amendments to that Act and to make minor amendments to the **Sentencing Act 1991** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **GENDER EQUALITY BILL 2019** — Ms Williams obtained leave to bring in '*A Bill for an Act to require the public sector, Councils and universities to promote gender equality, to take positive action towards achieving gender equality, to establish the Public Sector Gender Equality Commissioner and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019** — Ms Hennessy obtained leave to bring in '*A Bill for an Act to amend the **Criminal Procedure Act 2009**, the **Evidence Act 2008**, the **Evidence (Miscellaneous Provisions) Act 1958**, the **Local Government Act 1989**, the **Magistrates' Court Act 1989**, the **Oaths and Affirmations Act 2018**, the **Professional Standards Act 2003**, the **Sentencing Act 1991** and the **Supreme Court Act 1986** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 7 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Aradale Tours — Requesting that the Legislative Assembly calls on the Government to reopen tours at Aradale in Ararat and provide free health checks for all tour guides, bearing 200 signatures (*Ms Staley*).

Ordered to be tabled.

- 8 **PETITION — ARADALE TOURS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.

9 **DOCUMENTS**

VICTORIAN GOVERNMENT ABORIGINAL AFFAIRS REPORT 2019 — Tabled by leave (*Mr Wynne*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, tabled the Alert Digest No 15 of 2019 from the Scrutiny of Acts and Regulations Committee on the:

Building Amendment (Cladding Rectification) Bill 2019
 Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2019
 Forests Legislation Amendment (Compliance and Enforcement) Bill 2019
 Local Government Bill 2019
 Parks and Crown Land Legislation Amendment Bill 2019
 SR No 52 — Long Service Benefits Portability Regulations 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Financial Management Act 1994 — 2019–20 Quarterly Financial Report No 1

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C319
 Cardinia — C244, C259
 Casey — GC99
 French Island and Sandstone Island — C8
 Glen Eira — C194
 Greater Dandenong — C214
 Greater Geelong — C406

Melbourne — C344
 Melton — GC99
 Monash — C125 Part 2
 Moreland — C169
 Stonnington — C295
 Wyndham — GC99

Statutory Rules under the following Acts:

Long Service Benefits Portability Act 2018 — SR 110
Second-Hand Dealers and Pawnbrokers Act 1989 — SR 108
Wildlife Act 1975 — SR 109

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 108, 110
 Documents under s 16B in relation to the *Education and Training Reform Act 2006* —
 Ministerial Order No 1267 — Amending Ministerial Order No 1038 — Teaching Service
 (Employment Conditions, Salaries, Allowances, Selection and Conduct) 2019

Victoria Police — Report 2018–19 under s 20R of the *Witness Protection Act 1991*

Victoria's Mental Health Services — Report 2018–19.

- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Justice Legislation Amendment (Criminal Appeals) Bill 2019
 Justice Legislation Amendment (Serious Offenders and Other Matters) Bill 2019
 State Taxation Acts Further Amendment Bill 2019.

- 11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 19 November 2019, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Building Amendment (Cladding Rectification) Bill 2019
 Justice Legislation Amendment (Criminal Appeals) Bill 2019
 Justice Legislation Amendment (Serious Offenders and Other Matters) Bill 2019
 State Taxation Acts Further Amendment Bill 2019.

- 12 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Local Government Bill 2019
 Parks and Crown Land Legislation Amendment Bill 2019.

13 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended tomorrow to allow:

- (1) Business to be interrupted at the conclusion of statements by members.
- (2) The Premier and the Minister for Tourism, Sport and Major Events to make an apology to those people who suffered childhood sexual abuse in connection with the Puffing Billy railway and other railway bodies.
- (3) The Minister to table the apology.
- (4) Other members to make statements on the apology until 11.00 am. Members may speak for up to five minutes each.
- (5) At the conclusion of the statements, the House to return to business listed on the notice paper

(Ms Allan) — put and agreed to.

14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 28 November 2019:

Building and Environment Protection Legislation Amendment Bill 2019

Local Government Bill 2019

Parks and Crown Land Legislation Amendment Bill 2019

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 32

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 15 **STATEMENTS BY MEMBERS** — Members made statements.
- 16 **BUILDING AND ENVIRONMENT PROTECTION LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business was interrupted at 7.00 pm under sessional orders.*
- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.20 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 48 — Wednesday 27 November 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SUMMARY OFFENCES AMENDMENT (MOVE-ON LAWS) BILL 2019** — Motion made and question — That the Member for Caulfield have leave to bring in 'A Bill for an Act to amend the **Summary Offences Act 1966** to provide for certain move-on powers and related exclusion orders and for other purposes' (Mr Southwick) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 27

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio;

Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

South-West Victorian Roads — Requesting that the Legislative Assembly calls on the Government to match the Federal Government's \$140 million funding for key south-west Victorian roads in order to make the significant road safety improvements that the community needs, bearing 8270 signatures (*Ms Britnell*).

Ordered to be tabled.

- 4 **PETITION — SOUTH-WEST VICTORIAN ROADS** — Motion made and question — That the petition presented by the Member for South-West Coast be taken into consideration tomorrow (*Ms Britnell*) — put and agreed to.

5 **DOCUMENTS**

VICTORIAN LAW REFORM COMMISSION — NEIGHBOURHOOD TREE DISPUTES — Tabled by leave (*Ms Hennessy*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Market-led Proposals — Ordered to be published

Results of 2018–19 Audits: Local Government — Ordered to be published

Commission for Children and Young People — In our own words: Systemic inquiry into the lived experience of children and young people in the Victorian out-of-home care system — Ordered to be published

Emergency Services Superannuation Scheme (ESSSuper) — Report 2018–19 (*in lieu of report previously tabled on Thursday 17 October 2019*)

Port of Hastings Development Authority — Report 2018–19, together with an explanation for the delay

Recreational Fishing Licence Trust — Report 2018–19 on the disbursement of revenue

Victorian Inspectorate — Report 1 January to 30 June 2019 under s 30Q of the *Surveillance Devices Act 1999*.

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Workplace Safety Legislation Amendment (Workplace Manslaughter and Other Matters) Bill 2019 without amendment.

7 **ELECTORAL MATTERS COMMITTEE** — Motion made, by leave, and question — That the resolution of the House of 28 May 2019 be amended to extend the reporting date for the Electoral Matters Committee's Inquiry into the conduct of the 2018 Victorian State Election to no later than 31 August 2020 (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Members made statements.

Business was interrupted under the resolution of the House on Tuesday 26 November 2019.

9 **APOLOGY TO PUFFING BILLY VICTIMS** — The Premier and the Minister for Tourism, Sport and Major Events made an apology to those people who suffered childhood sexual abuse in connection with the Puffing Billy railway and other railway bodies.

The Minister for Tourism, Sport and Major Events tabled the apology.

Other members made statements on the apology.

Members stood in silence to show their support.

10 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.

Business was interrupted at 11.00 am under sessional orders.

11 **QUESTION TIME** — (Under Sessional Order 9).

12 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Statements continued.

13 **AMENDMENTS TO STANDING, SESSIONAL AND JOINT STANDING ORDERS** — Motion made and question — That as recommended by the Standing Orders Committee's Report on a review of the Standing Orders, November 2019, this House:

- (1) amends the **Standing Orders** as detailed in Appendix 1 of the report, with the changes to come into effect from 1 January 2020;
- (2) amends the **Sessional Orders** as detailed in Appendix 2 of the report, with the changes to come into immediate effect;
- (3) amends the **Joint Standing Orders** as detailed in Appendix 3 of the report, with the changes to come into effect immediately on their agreement by the Council; and
- (4) sends a message to the Legislative Council requesting their agreement to proposed new Joint Standing Order 25

(Ms Allan) — and, after debate —

Business was interrupted at 2.00 pm under sessional orders.

14 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT PREPAREDNESS FOR THE 2019–20 SUMMER** — The Speaker read Ms McLeish’s proposal to the House —

‘That this House expresses concern regarding the Andrews Labor Government’s failure to prepare Victoria for the 2019–20 summer noting:

- (1) Victoria’s high risk of bushfire;
- (2) nearly 4,000 CFA volunteers have walked away from the service since the Andrews Government was elected;
- (3) the failure to meet planned burning targets set by the 2009 Victorian Bushfires Royal Commission;
- (4) Victoria’s aerial fire planes not coming into operation until mid-December;
- (5) deadly blackspots and dropouts plaguing the CFA’s new digital radio system;
- (6) the secrecy by the Andrews Labor Government in not releasing burn maps and fuel load data information about the lack of protection for Victorian communities;
- (7) the attack on Victoria’s forestry industry and the loss of equipment, manpower and local knowledge to fight bushfires; and
- (8) 1.3 million Victorian households are in danger of summer power blackouts.’

Ms McLeish addressed the House — Discussion followed.

15 **AMENDMENTS TO STANDING, SESSIONAL AND JOINT STANDING ORDERS** — Debate resumed on question — That the motion be agreed to — put and agreed to.

16 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019** — Ms D’Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (Ms D’Ambrosio).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (Mr Morris) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 11 December 2019.

- 17 **ROAD SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2019** — Ms Neville tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 11 December 2019.

- 18 **GENDER EQUALITY BILL 2019** — Ms Williams tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Williams*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 11 December 2019.

- 19 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 11 December 2019.

- 20 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 49 — Thursday 28 November 2019

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Harcourt Rail Service — Requesting that the Legislative Assembly calls on the Government to prioritise the proposed feasibility study so that a rail service to Harcourt can be reintroduced, bearing 491 signatures (*Ms Edwards*)

Kilsyth Planning Scheme Amendment — Requesting that the Legislative Assembly calls on the Government to disallow the proposed planning scheme amendment request for 150 Cambridge Road, Kilsyth to preserve the site and to accommodate the demand for recreational public open space created by population growth, bearing 275 signatures (*Mr Hodgett*)

Kyneton Water Reclamation Plant — Requesting that the Legislative Assembly calls on the Government to upgrade the Kyneton Water Reclamation Plant to facilitate the production of Class B water only, bearing 1440 signatures (*Ms Ryan*)

Beaconsfield Upper Road Safety — Requesting that the Legislative Assembly recommends that VicRoads completes a new review of road safety at the intersection of Beaconsfield Emerald Road, St Georges Road and Salisbury Road, Beaconsfield Upper, in consultation with Cardinia Shire Council and the community, bearing 466 signatures (*Mr Battin*)

Cambridge Gardens Bus Service — Requesting that the Legislative Assembly calls on the Government to extend bus services to Cambridge Gardens estate, bearing 92 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — BEACONSFIELD UPPER ROAD SAFETY** — Motion made and question — That the petition presented by the Member for Gembrook be taken into consideration tomorrow (*Mr Battin*) — put and agreed to.

- 4 **PETITION — HARCOURT RAIL SERVICE** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 5 **PETITION — KILSYTH PLANNING SCHEME AMENDMENT** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.
- 6 **PETITION — KYNETON WATER RECLAMATION PLANT** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 7 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Follow up of Access to Public Dental Services in Victoria — Ordered to be published
 Follow up of Regulating Gambling and Liquor — Ordered to be published
 Sexual Harassment in the Victorian Public Service — Ordered to be published

Australian Criminal Intelligence Commission — Report 2018–19 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Australian Health Practitioner Regulation Agency — Report 2018–19

Climate Change Act 2017:

Victoria's Climate Science Report 2019
 Victorian Greenhouse Gas Emissions Report 2019

Legal Profession Uniform Law Application Act 2014 — Practitioner Remuneration Order 2020

Local Jobs First — Report 2018–19

National Environment Protection Council — Report 2017–18

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — GC138
 Alpine Resorts — GC138
 Bayside — C172, C173
 Benalla — GC138
 Casey — C260, C272
 Colac Otway — GC138
 Corangamite — GC138
 Frankston — C134

Greater Geelong — C405
 Indigo — GC138
 Latrobe — C105
 Mansfield — GC138
 Melton — C195, C203
 Mitchell — C124
 Moira — GC138
 Moreland — C194
 Mornington Peninsula — C257
 Moyne — GC138
 Southern Grampians — GC138
 Strathbogie — GC138
 Towong — GC138
 Wangaratta — GC138
 Warrnambool — GC138

Royal Commission into Victoria's Mental Health System — Interim Report and Summary (two documents) — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 111.

- 8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 4 February 2020 (*Ms Allan*) — put and agreed to.
- 9 **STATEMENTS BY MEMBERS** — Members made statements.
- 10 **LOCAL GOVERNMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms Kairouz announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Government has addressed concerns about:

- (1) the use of rate payers' money by Councils to advocate on political issues for which they have no jurisdiction;
- (2) the voting rights for all rate payers;
- (3) the requirement for deputy mayors and single member wards in regional councils;
- (4) the indemnity provisions for members of community asset committees and audit and risk committees; and

- (5) the continuity of important powers and processes which are provided for in the current legislation'

(Mr Smith, Kew) — and, after debate —

Business was interrupted at 11.00 am under sessional orders.

11 **QUESTION TIME** — (Under Sessional Order 9).

12 **LOCAL GOVERNMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 26 November 2019 had expired.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 56

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 28

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Neale Burgess; Ali Cupper; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time, Government amendment Nos 1 and 2 be agreed to and the Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 53

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino;

Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Neale Burgess; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **BUILDING AND ENVIRONMENT PROTECTION LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.10 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put and agreed to.

- 15 **END OF YEAR ACKNOWLEDGEMENTS** — By leave, members and the Speaker made statements.

- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transport Legislation Amendment Bill 2019 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 17 **TRANSPORT LEGISLATION AMENDMENT BILL 2019** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

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- 18 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.
- 19 **ADJOURNMENT** — After debate, the Speaker left the Chair at 6.07 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 50, 51, 52 and 53

No 50 — Tuesday 4 February 2020

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE JOHN CAIN** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable John Cain and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the District of Bundoora from 1976 to 1992, Premier from 1982 to 1990, Attorney-General from 1982 to 1983, Minister for Federal Affairs in 1982 and Minister for Ethnic Affairs in 1990 (*Mr Andrews*) — members and the Speaker addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory, life, work and profound legacy of the late Honourable John Cain, the House now adjourns until tomorrow (*Mr Andrews*) — put and agreed to.

And the House, at 4.39 pm, adjourned until tomorrow.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 51 — Wednesday 5 February 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended today to immediately allow:
 - (1) The Premier to move a motion about the recent bushfires;
 - (2) At the conclusion of the motion, the Premier to move to adjourn the House until later today as a mark of respect;
 - (3) When the House returns after the adjournment, the order of business to be:

Formal business
 Question time
 Statements by members
 Statements on parliamentary committee reports
 Government business
 Adjournment (7.00 pm)

(Ms Allan) — put and agreed to.

3 **BUSHFIRES** — Motion made and question — That this House:

- (1) Extends its condolences to the families and loved ones of the five people lost in Victoria's recent bushfires;
- (2) Further extends its condolences to the families and loved ones of the people recently lost in the New South Wales, South Australia and Australian Capital Territory fires;
- (3) Notes the far-reaching impact on communities, wildlife and the natural environment;
- (4) Praises the courage and commitment of all firefighters, emergency services personnel and first responders in protecting our state;
- (5) Shows its gratitude to the community members and organisations who have helped in this great time of need;
- (6) Thanks the national and international community for their support;
- (7) Vows to stand with all individuals and communities who were, and continue to be, affected by the bushfires as they rebuild and recover

(Mr Andrews) — members addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.

4 **ADJOURNMENT** — Motion made and question — That as a further tribute to the lives lived and the memory of Bill Slade, David Moresi, Mat Kavanagh, Mick Roberts and Fred Becker, their family and friends, the House now adjourns until 3.30 pm today *(Mr Andrews)* — put and agreed to.

And the House, at 2.29 pm, adjourned until 3.30 pm.

No 52 — Wednesday 5 February 2020 (3.30 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **IBAC DEPUTY COMMISSIONER** — The Speaker advised that, on 28 January 2020, he administered to David Wolf, the Deputy Commissioner, Independent Broad-based Anti-corruption Commission, the affirmation required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.
- 3 **CRIMES AMENDMENT (MANSLAUGHTER AND RELATED OFFENCES) BILL 2020** — Ms Hennessy introduced ‘A Bill for an Act to amend the *Crimes Act 1958* to create a new offence of homicide by firearm, to clarify the relationship between certain offences and to increase the maximum penalties for certain offences, to consequentially amend that Act and to make consequential and related amendments to certain other Acts and for other purposes’; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT AMENDMENT BILL 2020** — Mr Wynne introduced ‘A Bill for an Act to amend the *Project Development and Construction Management Act 1994*, the *Planning and Environment Act 1987* and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Agnes Falls Cantilevered Platform — Requesting that the Legislative Assembly urges the Government to provide funding to Parks Victoria for the construction of a cantilevered viewing platform at Agnes Falls, bearing 1036 signatures (*Mr O’Brien, Gippsland South*)

Mentone Level Crossing Removal — Requesting that the Legislative Assembly instructs the Level Crossing Removal Project to incorporate into their Mentone Level Crossing Removal design a common foyer between the heritage station and the new station, a multi-storey carpark close to the station and the retention of the roundabout at Como Parade West and Balcombe Road, bearing 385 signatures (*Mr Rowswell*)

Urgent Improvement to Intersection in Warrandyte South — Requesting that the Legislative Assembly ensures the Government takes urgent steps to ensure the Department of Transport improve the Croydon Road, Brumbys Road, Ringwood-Warrandyte Road and Husseys Lane intersection in Warrandyte South, bearing 862 signatures (*Mr Smith, Warrandyte*)

Cambridge Gardens Bus Service — Requesting that the Government extends bus services to Cambridge Gardens estate, bearing 141 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 6 **PETITION — URGENT IMPROVEMENT TO INTERSECTION IN WARRANDYTE SOUTH** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.
- 7 **PETITION — MENTONE LEVEL CROSSING REMOVAL** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Rowswell*) — put and agreed to.
- 8 **PETITION — CAMBRIDGE GARDENS BUS SERVICE** — Motion made and question — That the petition presented by the Member for Yuroke be taken into consideration tomorrow (*Ms Spence*) — put and agreed to.
- 9 **PETITION — AGNES FALLS CANTILEVERED PLATFORM** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

10 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 1 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Abolition of Blasphemy) Bill 2019
 Gender Equality Bill 2019
 Great Ocean Road and Environs Protection Bill 2019
 Justice Legislation Miscellaneous Amendments Bill 2019
 Local Government Bill 2019
 Road Safety and Other Legislation Amendment Bill 2019
 Transport Legislation Amendment Act 2019 (House Amendment)
 Transport Legislation Amendment Bill 2019
 SR No 88 — Road Safety (General) Regulations 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Determination under s 17CA of intention to grant a lease over Albert Park Reserve
 Order under s 17B granting a licence over Lynch's Bridge Historical Precinct Reserve
 Orders under s 17D granting leases over:
 Cape Paterson Foreshore Reserve
 Elsternwick Park Reserve
 Grantville Foreshore Reserve
 Lynch's Bridge Historical Precinct Reserve
 Market Street Melbourne Reserve

Old Springfield Cheese Factory Reserve
Sandringham Beach Park

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2019 under s 303

Emergency Management Act 1986 — Report to Parliament on the declaration of the State of Disaster

Financial Management Act 1994 — Budget Update 2019–20

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 71, 112, 113, 114/2019

Major Events Act 2009 — Major Sporting Event Order for the 2020 and 2021 Australian Open tennis tournaments

Murray-Darling Basin Authority — Report 2018–19

Ombudsman:

Investigation of matters referred from the Legislative Assembly on 8 August 2018 — Ordered to be published

WorkSafe 2: Follow-up investigation into the management of complex workers compensation claims — Ordered to be published

Planning and Environment Act 1987:

Infrastructure and Development Contribution Levies — Report 2018–19
Notices of approval of amendments to the following Planning Schemes:

Banyule — GC98, GC119

Baw Baw — GC124

Boroondara — C322, C324, C326, GC98

Brimbank — C215

Cardinia — C255, C260, GC124

Casey — C198, C229, C262, GC136

Colac Otway — GC121

Corangamite — GC121

Frankston — GC127

Glen Eira — C203

Glenelg — C102

Greater Bendigo — C226, C249

Greater Dandenong — GC136

Greater Geelong — C367, C404, C407, GC121

Greater Shepparton — C211

Hume — C230, C235, C241, C242

Kingston — C185

Knox — C183
 Latrobe — GC124
 Loddon — C41
 Macedon Ranges — C117, C130
 Manningham — GC98, GC119
 Mansfield — C42
 Maribyrnong — C147
 Melbourne — C352, C367
 Melton — C172
 Mitchell — C148
 Monash — C160
 Moonee Valley — C201
 Moreland — C188, C197, C198
 Mornington Peninsula — C190, C206, C268, GC127
 Moyne — C65, GC121
 Nillumbik — C119, GC98, GC119
 Port Phillip — C185
 Queenscliffe — C31, C34
 Southern Grampians — C56
 Stonnington — C282, C290, C299
 Surf Coast — C123, C132, GC121
 Victoria Planning Provisions — VC158, VC165
 Warrnambool — GC121
 Whitehorse — GC98
 Whittlesea — C234, C235, C242, GC98
 Yarra — C268, C274, C276, GC98
 Yarra Ranges — C188

Statutory Rules under the following Acts:

Accident Towing Services Act 2007 — SRs 139, 148, 169/2019
Administration and Probate Act 1958 — SR 124/2019
Assisted Reproductive Treatment Act 2008 — SR 115/2019
Building Act 1993 — SR 116/2019
Bus Safety Act 2009 — SR 165/2019
Children, Youth and Families Act 2005 — SR 161/2019
Commercial Passenger Vehicle Industry Act 2017 — SRs 162, 166/2019
Conservation, Forests and Lands Act 1987 — SRs 2, 3
County Court Act 1958 — SRs 126, 142/2019
Criminal Procedure Act 2009 — SR 143/2019
EastLink Project Act 2004 — SR 149/2019
Education and Training Reform Act 2006 — SR 134/2019
Electricity Safety Act 1998 — SRs 112, 113, 114/2019
Essential Services Commission Act 2001 — SRs 127, 128/2019
Evidence Act 2008 — SR 111/2019
Fisheries Act 1995 — SRs 163, 164/2019
Forests Act 1958 — SR 130/2019
Freedom of Information Act 1982 — SR 155/2019

Greenhouse Gas Geological Sequestration Act 2008 — SR 119/2019
Health Practitioner Regulation National Law (Victoria) Act 2009 — SR 141/2019
Heavy Vehicle National Law Application Act 2013 — SR 170/2019
Independent Broad-based Anti-corruption Commission Act 2011 — SR 158/2019
Livestock Disease Control Act 1994 — SR 1
Local Government Act 1989 — SR 156/2019
Magistrates' Court Act 1989 — SRs 143, 144/2019
Marine Safety Act 2010 — SR 146/2019
Melbourne City Link Act 1995 — SR 150/2019
Mineral Resources (Sustainable Development) Act 1990 — SRs 137, 138/2019
Ombudsman Act 1973 — SR 157/2019
Prevention of Cruelty to Animals Act 1986 — SR 133/2019
Public Health and Wellbeing Act 2008 — SRs 135/2019, 4
Public Interest Disclosures Act 2012 — SR 159/2019
Racing Act 1958 — SR 147/2019
Rail Safety National Law Application Act 2013 — SR 117/2019
Road Management Act 2004 — SRs 151, 152/2019
Road Safety Act 1986 — SRs 120, 121, 153, 154, 172/2019
Service Victoria Act 2018 — SR 132/2019
Subordinate Legislation Act 1994 — SRs 129, 136/2019
Supreme Court Act 1986 — SRs 122, 123, 124, 125/2019
Tobacco Act 1987 — SR 131/2019
Tourist and Heritage Railways Act 2010 — SR 167/2019
Transport (Compliance and Miscellaneous) Act 1983 — SRs 118, 168, 171/2019
Transport Integration Act 2010 — SR 173/2019
Victorian Civil and Administrative Tribunal Act 1998 — SR 145/2019
Victorian Inspectorate Act 2011 — SR 160/2019
Water Act 1989 — SR 140/2019

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 104, 109, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173/2019, 1, 3

Documents under s 16B in relation to:

City of Greater Geelong Act 1993 — Greater Geelong City Council — Mayoral and Deputy Mayoral Allowances — Alteration

City of Melbourne Act 2001 — Melbourne City Council — Lord Mayoral, Deputy Lord Mayoral and Councillor Allowances — Alteration

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 — Members of Parliament (Victoria) Guidelines No 02/2019 under s 36.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Building Amendment (Cladding Rectification) Act 2019 — Sections 1, 2, 3, 4(1), 9, 10, 27 and 28 — 17 December 2019; remaining provisions — 1 January 2020 (*Gazette S537, 17 December 2019*)

Children Legislation Amendment Act 2019 — Part 7 — 10 December 2019 (*Gazette S496, 3 December 2019*)

Consumer Legislation Amendment Act 2019 — Parts 2, 3, 8 and 9 — 18 December 2019 (*Gazette S537, 17 December 2019*)

Essential Services Commission Amendment (Governance, Procedural and Administrative Improvements) Act 2019 — Whole Act — 6 December 2019 (*Gazette S496, 3 December 2019*)

Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019 — Part 2 and Schedule 1 — 31 December 2019 (*Gazette S537, 17 December 2019*)

Justice Legislation Amendment (Criminal Appeals) Act 2019 — Divisions 2, 3 and 4 of Part 3 and Part 4 — 4 December 2019 (*Gazette S496, 3 December 2019*)

Justice Legislation Amendment (Family Violence Protection and Other Matters) Act 2018 — Sections 14(2), 16, 22, 24, 25, 27 and 31 — 10 December 2019 (*Gazette S514, 10 December 2019*)

Marine and Fisheries Legislation Amendment Act 2019 — Sections 10, 11 and 16 — 18 December 2019; ss 12, 13, 15 and Part 5 — 1 January 2020; remaining provisions — 1 February 2020 (*Gazette S537, 17 December 2019*)

Parliamentary Committees Amendment Act 2019 — Section 7 — 30 December 2019 (*Gazette S537, 17 December 2019*)

Primary Industries Legislation Amendment Act 2019 — Sections 8, 11(2), 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 34, 35, 36, 37, 39, 51, 55, 56 and 57 and Parts 1, 3, 6, 8, 9, 11 and 14 — 17 December 2019 (*Gazette S537, 17 December 2019*)

Rail Safety Legislation Amendment (National Services Delivery and Related Reforms) Act 2019 — Whole Act — 2 December 2019 (*Gazette S480, 26 November 2019*)

Transport Legislation Amendment Act 2019 — Divisions 1, 2 and 4 of Part 2, Subdivisions 1, 2 and 4 of Division 5 of Part 2, s 64, Division 7 of Part 2 (except ss 66(2) and 67), remaining provisions of Part 3, Part 4, remaining provisions of Part 5, Part 6 and Part 7 and Schedule 1 (except items 1(e) and 159), Schedule 2, Schedule 3 (except item 28) and Schedule 4 — 1 January 2020 (*Gazette S514, 10 December 2019*)

Water and Catchment Legislation Amendment Act 2019 — Sections 5(8), 83, 86, 89 and 96 — 1 January 2020 (*Gazette S514, 10 December 2019*)

Workplace Safety Legislation Amendment (Workplace Manslaughter and Other Matters) Act 2019 — Part 1 and 3 — 1 January 2020 (*Gazette S537, 17 December 2019*).

11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Consumer Legislation Amendment Bill 2019
Land (Revocation of Reservations) Bill 2019.

12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 3 December 2019, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Consumer Legislation Amendment Bill 2019

Land (Revocation of Reservations) Bill 2019
 Transport Legislation Amendment Bill 2019
 Workplace Safety Legislation Amendment (Workplace Manslaughter and Other Matters) Bill 2019.

- 13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Gender Equality Bill 2019
 Great Ocean Road and Environs Protection Bill 2019.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 6 February 2020:

Gender Equality Bill 2019
 Road Safety and Other Legislation Amendment Bill 2019

(Ms Allan) — after debate, put and agreed to.

- 15 **QUESTION TIME** — (Under Sessional Order 9).

- 16 **STATEMENTS BY MEMBERS** — Members made statements.

- 17 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.

- 18 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.

- 19 **ROAD SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Southwick announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under the resolution of the House today.

- 20 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.26 pm.

No 53 — Thursday 6 February 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Grampians Rock Climbing — Requesting that the Legislative Assembly grants interim approval to rock climb within Special Protection Areas and consults appropriately during the Grampians Management Plan process to ensure that rock climbers can assist in protecting individual climbing sites where there is a cultural or environmental risk, bearing 437 signatures (*Ms Kealy*)

Rural and Country Roads and Driver Education — Requesting that the Legislative Assembly ensures investment is made to halt the degradation of our rural road network and increase driver education to reverse the rising road toll on country roads, bearing 191 signatures (*Ms Kealy*)

Toxic Chemical Waste Dump — Requesting that the Legislative Assembly ensures the Government directs the EPA to clean up Victoria's largest illegal toxic chemical waste dump located near Kaniva, bearing 208 signatures (*Ms Kealy*).

Petitions ordered to be tabled.

- 3 **PETITION — GRAMPIANS ROCK CLIMBING** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 4 **PETITION — RURAL AND COUNTRY ROADS AND DRIVER EDUCATION** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 5 **PETITION — TOXIC CHEMICAL WASTE DUMP** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

6 DOCUMENTS

VICTORIAN GOVERNMENT REPORT 2019 — ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE — Tabled by leave (*Ms Hennessy*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Independent Broad-based Anti-corruption Commission — Report 2018–19 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Mental Health Act 2014 — Electroconvulsive treatment for people in Victoria under the age of 18 years: 2014–19

Occupational Health and Safety Act 2004 — Order approving the variation of compliance codes

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 2

Victoria Police:

Report 2018–19 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Report 2018–19 under s 42BI of the *Evidence (Miscellaneous Provisions) Act 1958*

Workplace Injury Rehabilitation and Compensation Act 2013 — Order approving the variation of compliance codes.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 18 February 2020 (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Members made statements.

9 **CRIMES AMENDMENT (MANSLAUGHTER AND RELATED OFFENCES) BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 20 February 2020.

10 **PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT AMENDMENT BILL 2020** — Mr Wynne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*). The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 20 February 2020.

- 11 **GENDER EQUALITY BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms Williams announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Ms Kealy announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 11.00 am under sessional orders.

- 12 **QUESTION TIME** — (Under Sessional Order 9).

- 13 **GENDER EQUALITY BILL 2019** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **ROAD SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 5 February 2020 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **GENDER EQUALITY BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment No 1 be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 16 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 54, 55 and 56

No 54 — Tuesday 18 February 2020

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **QUESTION TIME** — (Under Sessional Order 9).

3 **LOCAL GOVERNMENT (CASEY CITY COUNCIL) BILL 2020** — Ms Kairouz introduced ‘A Bill for an Act to dismiss the Casey City Council and to provide for a general election for that Council and for other purposes’; and the Bill was read a first time. In accordance with SO 61(3)(b), the House proceeded immediately to the second reading.

Ms Kairouz tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Kew*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

4 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020** — Ms D’Ambrosio introduced ‘A Bill for an Act to amend the **National Electricity (Victoria) Act 2005** and the **Electricity Industry Act 2000** and for other purposes’; and the Bill was read a first time and ordered to be read a second time tomorrow.

5 **DOCUMENTS**

CITY OF CASEY MUNICIPAL MONITOR REPORT FEBRUARY 2020 — Tabled by leave (*Ms Kairouz*).

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 2 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Children, Youth and Families Amendment (Out of Home Care Age) Bill 2020
 Crimes Amendment (Manslaughter and Related Offences) Bill 2020
 Forests Legislation Amendment (Compliance and Enforcement) Bill 2019
 Project Development and Construction Management Amendment Bill 2020
 Transport Legislation Amendment Act 2019 (House Amendment)
 SR No 93 — Road Safety (Traffic Management) Regulations 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Australian Children’s Education and Care Quality Authority — Report 2018–19

Family Violence Reform Implementation Monitor — Report 1 as at November 2019 — Ordered to be published

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 135/2019 (*Gazette G5, 6 February 2020*)

National Education and Care Services Freedom of Information and Privacy Commissioners and Ombudsman — Report 2018–19

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C161 Part 2
 Boroondara — C312
 Hobsons Bay — C113
 Melton — C201, C217
 Mildura — C102
 Nillumbik — C117 Part 1, C124
 Surf Coast — C128
 Victoria Planning Provisions — VC160, VC168, VC170

Statutory Rules under the following Acts:

Public Health and Wellbeing Act 2008 — SR 5
Road Safety Act 1986 — SR 7
Transport (Compliance and Miscellaneous) Act 1983 — SR 6

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 4, 5, 6, 7

Documents under s 16B in relation to:

Water Act 1989 — Temporary Qualification of Rights in the Broken System 2019

Wildlife Act 1975 — Revocation of the Declaration of Common Wombats to be unprotected wildlife

Guidelines under s 26.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Children Legislation Amendment Act 2019 — Sections 3(2), 9 and 10 and Parts 4 and 5 — 17 February 2020 (*Gazette S49, 4 February 2020*)

Justice Legislation Amendment (Serious Offenders and Other Matters) Act 2019 — Sections 19(1), 21, 22, 23, 24, 25, 26, 27, 28 and 29 — 31 January 2020 (*Gazette S37, 29 January 2020*).

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Melbourne Strategic Assessment (Environment Mitigation Levy) Bill 2019 without amendment.
- 7 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 11 February 2020, given the royal assent to the Melbourne Strategic Assessment (Environment Mitigation Levy) Bill 2019, presented to her by the Clerk of the Parliaments.
- 8 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 20 February 2020:

Forests Legislation Amendment (Compliance and Enforcement) Bill 2019

Great Ocean Road and Environs Protection Bill 2019

Justice Legislation Miscellaneous Amendments Bill 2019

Owners Corporations and Other Acts Amendment Bill 2019

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 31

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

9 **STATEMENTS BY MEMBERS** — Members made statements.

10 **LOCAL GOVERNMENT (CASEY CITY COUNCIL) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to new Joint Standing Order 25, to take effect immediately.

12 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Government has resolved the significant omissions in the Bill and ensures:

- (1) the source of funds to resource the operations of the Great Ocean Road Coast and Parks Authority and the implementation of the proposed Great Ocean Road strategic framework plan are identified;
- (2) the extent of the region is identified and defined;
- (3) the relationship between local planning schemes and the overarching powers granted to the Minister by the Bill is reconciled;
- (4) the proposed constitution of the Board of the Authority is amended after further consultation to provide that there is sufficient representation from residents of any of the following municipal districts:
 - (a) Surf Coast Shire Council;
 - (b) Colac Otway Shire Council;
 - (c) Corangamite Shire Council;
 - (d) Moyne Shire Council; or

(e) Portland City Council; and

- (5) the decision to exclude all board, or committee of management, members of responsible entities (as defined in the Bill) from eligibility for appointment as a director of the Authority is justified'

(Mr Morris) — and, after debate —

Motion made and question — That the debate be now adjourned *(Ms Hennessy)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Building and Environment Protection Legislation Amendment Bill 2019
 Energy Safety Legislation Amendment (Victorian Energy Safety Commission and Other Matters) Bill 2019
 Local Government (Casey City Council) Bill 2020.

- 14 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this Bill be withdrawn and redrafted to:

- (1) take into account further consultation about the benefits of removing the group cost orders and contingency fees provisions proposed for the *Supreme Court Act 1986*; and
 (2) retain the remaining provisions of the Bill'

(Mr Southwick) — and, after debate —

Business was interrupted at 7.00 pm under sessional orders.

- 15 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.25 pm.

No 55 — Wednesday 19 February 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2020** — Mr Foley introduced ‘A Bill for an Act to amend the *Assisted Reproductive Treatment Act 2008* to remove requirements for criminal record and child protection order checks to be carried out before a woman may undergo a treatment procedure and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **HEALTH SERVICES AMENDMENT (MANDATORY VACCINATION OF HEALTHCARE WORKERS) BILL 2020** — Mr Foley introduced ‘A Bill for an Act to amend the *Health Services Act 1988* and the *Ambulance Services Act 1986* to provide for directions relating to the vaccination of persons employed or engaged by certain hospitals, health service establishments and ambulance services and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Kilsyth Planning Scheme Amendment — Requesting that the Legislative Assembly demands the Government disallow the proposed planning scheme amendment for 150 Cambridge Road, Kilsyth to preserve the site and to accommodate the demand for recreational public open space created by population growth, bearing 5353 signatures (*Mr Hodgett*).

Ordered to be tabled.
- 5 **PETITION — KILSYTH PLANNING SCHEME AMENDMENT** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.
- 6 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:

Voluntary Assisted Dying Review Board — Report of operations June to December 2019.
- 7 **STATEMENTS BY MEMBERS** — Members made statements.
- 8 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.
- 9 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020** — Ms D’Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D’Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 4 March 2020.

- 10 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this Bill be withdrawn and redrafted to: (1) take into account further consultation about the benefits of removing the group cost orders and contingency fees provisions proposed for the *Supreme Court Act 1986*; and (2) retain the remaining provisions of the Bill’; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 11 **QUESTION TIME** — (Under Sessional Order 9).

[The Speaker left the Chair at 11.03 am and resumed it at 11.09 am]

Question time continued.

[The Speaker left the Chair at 11.27 am and resumed it at 11.36 am]

Question time resumed.

- 12 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Business was interrupted at 2.00 pm under sessional orders.

- 13 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT POLICIES AND PROJECTS THAT BENEFIT VICTORIAN CHILDREN** — The Speaker read Mr Richardson’s proposal to the House —

‘That this House notes the Andrews Labor Government’s delivery of a range of state-shaping policies and projects that benefit Victorian children including:

- (1) The start of universal three-year-old kindergarten, rolling out in regional communities first — part of the Labor Government’s almost \$5 billion decade long reform, this investment will ensure every Victorian child can benefit from an extra year at kinder — an Australian first.
- (2) The next phase of the Labor Government’s landmark Smile Squad free dental program, which once fully rolled out in 2022, will provide check-ups and dental treatment to more than 650,000 students in government schools every year.

- (3) The opening of 11 new schools at the beginning of the school year, part of its commitment to open 100 new schools by 2026, ensuring every child has a great local school and a great start in life — the Labor Government has invested \$6.1 billion to deliver more than 1,400 school upgrades, supporting more than 7,500 construction jobs for Victorians.’

Mr Richardson addressed the House — Discussion followed.

- 14 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had today given the royal assent to the Local Government (Casey City Council) Bill 2020, presented to her by the Clerk of the Parliaments.

- 16 **OWNERS CORPORATIONS AND OTHER ACTS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.33 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 56 — Thursday 20 February 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Agnes Falls Cantilevered Platform — Requesting that the Legislative Assembly urges the Government to provide funding to Parks Victoria for the construction of a cantilevered viewing platform at Agnes Falls, bearing 10 signatures (*Mr O’Brien, Gippsland South*)

Loch Sport Fire Risk — Requesting that the Legislative Assembly calls on the Government to urgently undertake work to reduce fire risk on Crown Land in Loch Sport including the single access road in and out of the township, bearing 462 signatures (*Mr O'Brien, Gippsland South*)

Gellibrand River Proposed Resort — Requesting that the Legislative Assembly demands the Government enforce Victoria's environmental and planning laws and implement a Coastal Risk Hazard Assessment for the flood plain of the Gellibrand River at Princetown and consider a new location for the proposed resort, bearing 1527 signatures (*Mr Riordan*)

Point Grey, Lorne — Requesting that the Legislative Assembly prohibits the demolition of the historic building at Point Grey in Lorne that contains a restaurant, bearing 1188 signatures (*Mr Riordan*)

Amphitheatre Police Presence — Requesting that the Legislative Assembly calls on the Government to provide a satisfactory police presence in and around Amphitheatre and strongly consider opening a police station in the town, bearing 61 signatures (*Ms Staley*).

Petitions ordered to be tabled.

- 3 **PETITION — AMPHITHEATRE POLICE PRESENCE** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 4 **PETITION — GELLIBRAND RIVER PROPOSED RESORT** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.
- 5 **PETITION — POINT GREY, LORNE** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.
- 6 **PETITION — AGNES FALLS CANTILEVERED PLATFORM** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 7 **PETITION — LOCH SPORT FIRE RISK** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 8 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:

Family Violence Protection Act 2008 — Implementation of the Family Violence Risk Assessment and Management Framework — Report September 2018 to 30 June 2019.
- 9 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 3 March 2020 (*Ms Allan*) — put and agreed to.

- 10 **STATEMENTS BY MEMBERS** — Members made statements.
- 11 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2020** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.
- Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).
- The second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.
- Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 5 March 2020.
- 12 **HEALTH SERVICES AMENDMENT (MANDATORY VACCINATION OF HEALTHCARE WORKERS) BILL 2020** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.
- Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).
- The second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.
- Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 5 March 2020.
- 13 **OWNERS CORPORATIONS AND OTHER ACTS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business was interrupted at 11.00 am under sessional orders.*
- 14 **QUESTION TIME** — (Under Sessional Order 9).
- 15 **OWNERS CORPORATIONS AND OTHER ACTS AMENDMENT BILL 2019** — Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 16 **FORESTS LEGISLATION AMENDMENT (COMPLIANCE AND ENFORCEMENT) BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 18 February 2020 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this Bill be withdrawn and redrafted to: (1) take into account further consultation about the benefits of removing the group cost orders and contingency fees provisions proposed for the *Supreme Court Act 1986*; and (2) retain the remaining provisions of the Bill’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 57

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 23

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Steph Ryan; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 57

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank

McGuire; James Merlino; Lisa Neville; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 23

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Steph Ryan; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Government has resolved the significant omissions in the Bill and ensures: (1) the source of funds to resource the operations of the Great Ocean Road Coast and Parks Authority and the implementation of the proposed Great Ocean Road strategic framework plan are identified; (2) the extent of the region is identified and defined; (3) the relationship between local planning schemes and the overarching powers granted to the Minister by the Bill is reconciled; (4) the proposed constitution of the Board of the Authority is amended after further consultation to provide that there is sufficient representation from residents of any of the following municipal districts — (a) Surf Coast Shire Council; (b) Colac Otway Shire Council; (c) Corangamite Shire Council; (d) Moyne Shire Council; or (e) Portland City Council; and (5) the decision to exclude all board, or committee of management, members of responsible entities (as defined in the Bill) from eligibility for appointment as a director of the Authority is justified'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; Sam Hibbins; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Steph Ryan; Ellen Sandell; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; Sam Hibbins; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Steph Ryan; Ellen Sandell; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **OWNERS CORPORATIONS AND OTHER ACTS AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.15 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.35 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

VOTES AND PROCEEDINGS

Nos 57, 58 and 59

No 57 — Tuesday 3 March 2020

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **EDUCATION AND TRAINING REFORM AMENDMENT (REGULATION OF STUDENT ACCOMMODATION) BILL 2020** — Mr Merlino introduced ‘*A Bill for an Act to amend the **Education and Training Reform Act 2006** to provide for the registration of premises at which accommodation services are provided to students enrolled at or attending registered schools and to make minor amendments to that Act and related consequential amendments to the **Child Wellbeing and Safety Act 2005** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **SENTENCING AMENDMENT (EMERGENCY WORKER HARM) BILL 2020** — Ms Hennessy introduced ‘*A Bill for an Act to amend the **Sentencing Act 1991** in relation to sentencing for certain offences committed against emergency workers and others, to amend the **Criminal Procedure Act 2009** in relation to indictable offences that may be heard and determined summarily and to make minor amendments to the **Crimes Act 1958** and the **Serious Offenders Act 2018** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **DISABILITY SERVICE SAFEGUARDS AMENDMENT BILL 2020** — Mr Donnellan introduced ‘*A Bill for an Act to amend the **Disability Service Safeguards Act 2018** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **ACTING SPEAKERS** — The Speaker tabled the following warrant:

PANEL OF ACTING SPEAKERS

Under Standing Order 20, I appoint Darren Cheeseman, Sarah Connolly, Jordan Crugnale, Matt Fregon, Pauline Richards, Michaela Settle and Jackson Taylor to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrants of 5, 6 and 19 February 2019.

Colin Brooks MP
SPEAKER
3 March 2020.

7 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, tabled the Alert Digest No 3 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Assisted Reproductive Treatment Amendment Bill 2020
 Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Bill 2020
 Gender Equality Bill 2019
 Local Government (Casey City Council) Act 2020
 National Electricity (Victoria) Amendment Bill 2020
 Summary Offences Amendment (Move-on Laws) Bill 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Commercial Passenger Vehicle Industry Act 2017 — Commercial Passenger Vehicle Industry Code of Practice, Part 2: Meeting your safety duties

Duties Act 2000 — Report 1 July to 31 December 2019 of Foreign Purchaser Additional Duty Exemptions under s 3E

Gambling Regulation Act 2003 — Amendment to Public Lottery Licence under s 5.3.19

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 133/2019 (*Gazette S56, 6 February 2020*)

Occupational Health and Safety Act 2004 — Order approving the Managing exposure to crystalline silica: Engineered stone compliance code (*Gazette S66, 11 February 2020*)

Ombudsman — Investigation into three councils' outsourcing of parking fine internal reviews — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C167
 Casey — C264
 Frankston — C135
 Kingston — C184
 Knox — C179
 Manningham — C129
 Maroondah — C133
 Monash — C154
 Victoria Planning Provisions — VC166

Whitehorse C218

Statutory Rules under the following Acts:

Child Wellbeing and Safety Act 2005 — SR 12

Family Violence Protection Act 2008 — SR 10

Guardianship and Administration Act 2019 — SR 11

Mental Health Act 2014 — SR 9

National Parks Act 1975 — SR 8

Personal Safety Intervention Orders Act 2010 — SR 10

Sale of Land Act 1962 — SR 13

Tobacco Act 1987 — SR 14

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 8, 9, 10, 12

Documents under s 16B in relation to the *Commercial Passenger Vehicle Industry Act 2017*:
Commercial Passenger Vehicle Industry Code of Practice, Part 2: Meeting your safety duties
Determination of Specifications for Wheelchair Accessible Vehicles.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Consumer Legislation Amendment Act 2019 — Remaining provisions of Division 1 of Part 5 — 2 March 2020 (*Gazette S91, 25 February 2020*)

Guardianship and Administration Act 2019 — Part 1 and s 195 — 28 February 2020 (*Gazette S91, 25 February 2020*).

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Gender Equality Bill 2019 without amendment.

9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 25 February 2020, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Building and Environment Protection Legislation Amendment Bill 2019

Energy Safety Legislation Amendment (Victorian Energy Safety Commission and Other Matters) Bill 2019

Gender Equality Bill 2019.

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — Proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Hon Mary Wooldridge and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 4 March 2020 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

- 11 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — Motion made and question — That this House agrees to the Council's proposal for a joint sitting on Wednesday 4 March 2020 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Hon Mary Wooldridge (*Ms Allan*) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them accordingly.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 5 March 2020:

Crimes Amendment (Manslaughter and Related Offences) Bill 2020
 Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Bill 2020
 National Electricity (Victoria) Amendment Bill 2020
 Project Development and Construction Management Amendment Bill 2020

(*Ms Allan*) — after debate, put and agreed to.

- 13 **STATEMENTS BY MEMBERS** — Members made statements.

- 14 **PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

- 16 **CRIMES AMENDMENT (MANSLAUGHTER AND RELATED OFFENCES) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

No 58 — Wednesday 4 March 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **NORTH EAST LINK BILL 2020** — Mr Pallas introduced ‘*A Bill for an Act to establish the North East Link State Tolling Corporation in relation to the North East Link road, to provide for the operation and maintenance of the North East Link road and the imposition and enforcement of tolls in relation to the North East Link road, to make related and consequential amendments to other Acts and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Kilsyth Planning Scheme Amendment — Requesting that the Legislative Assembly demands the Government disallow the proposed planning scheme amendment for 150 Cambridge Road, Kilsyth to preserve the site and to accommodate the demand for recreational public open space created by population growth, bearing 576 signatures (*Mr Hodgett*)

Drug and Alcohol Rehabilitation Centre, Wangaratta — Requesting that the Legislative Assembly calls on the Government to seek an alternate location for the proposed drug and alcohol rehabilitation centre in Wangaratta and that it not be located at the former Ovens College site but built outside the town’s boundaries, bearing 226 signatures (*Mr McCurdy*)

Cambridge Gardens Bus Service — Requesting that the Government extends bus services to Cambridge Gardens estate, bearing 46 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 4 **PETITION — KILSYTH PLANNING SCHEME AMENDMENT** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.
- 5 **PETITION — DRUG AND ALCOHOL REHABILITATION CENTRE, WANGARATTA** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 11

Victorian Inspectorate:

Inspection Report 2018–19 under the *Crimes (Controlled Operations) Act 2004*, *Wildlife Act 1975* and *Fisheries Act 1995*

Inspection Report September 2019 under the *Terrorism (Community Protection) Act 2003*.

7 **STATEMENTS BY MEMBERS** — Members made statements.

8 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.

9 **EDUCATION AND TRAINING REFORM AMENDMENT (REGULATION OF STUDENT ACCOMMODATION) BILL 2020** — Mr Merlino tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 18 March 2020.

10 **SENTENCING AMENDMENT (EMERGENCY WORKER HARM) BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 18 March 2020.

11 **DISABILITY SERVICE SAFEGUARDS AMENDMENT BILL 2020** — Mr Donnellan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 18 March 2020.

- 12 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 13 **QUESTION TIME** — (Under Sessional Order 9).

- 14 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — BUDGET AND PROJECT MISMANAGEMENT OF THE GOVERNMENT** — The Speaker read Ms Staley’s proposal to the House —

‘That this House condemns the budgetary and project mismanagement of the Andrews Labor Government which has already led to:

- (1) the Treasurer admitting his budget needed deep cuts when he said to Neil Mitchell on 3AW on 12 February 2020 “I’m looking at every line item of expenditure, and I’m looking to take something like \$4 billion out of government expenditure going forward”;
- (2) budget cuts across the board, including to regional road maintenance, corrections, and hazard reduction burns on public land;
- (3) hospital waitlists increasing;
- (4) unemployment rising above the national average on the most recently released data;
- (5) an inability to solve the recycling crisis; and
- (6) an admission by the Treasurer to Neil Mitchell on 3AW on 14 February 2020 that he will not rule out further taxation increases in the upcoming budget.’

Ms Staley addressed the House — Discussion followed.

- 16 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020** — Debate resumed on question — That this Bill be now read a second time.

[Business was interrupted at 6.15 pm for a joint sitting and resumed at 6.23 pm]

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met today with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Hon Mary Wooldridge and that Dr Matthew Bach was duly chosen to hold the vacant place.
- 18 **CRIMES AMENDMENT (MANSLAUGHTER AND RELATED OFFENCES) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business was interrupted at 7.00 pm under sessional orders.*
- 19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.26 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 59 — Thursday 5 March 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Spoil from Westgate Tunnel Project** — Requesting that the Legislative Assembly rejects all proposals by Transurban and Maddingley Brown Coal to dump any contaminated spoil from the Westgate Tunnel Project in the Bacchus Marsh community and instead works with Transurban to have the spoil sent to fit-for-purpose facilities away from farmland, schools, waterways and vibrant growing communities, bearing 4254 signatures (*Ms Settle*).
- Ordered to be tabled.
- 3 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:
- Planning and Environment Act 1987* — Infrastructure Contributions and Development Contribution Levies — Report 2018–19.
- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 17 March 2020 (*Ms Allan*) — put and agreed to.
- 5 **STATEMENTS BY MEMBERS** — Members made statements.

- 6 **NORTH EAST LINK BILL 2020** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Kealy*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 19 March 2020.

- 7 **HEALTH SERVICES AMENDMENT (MANDATORY VACCINATION OF HEALTHCARE WORKERS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 8 **QUESTION TIME** — (Under Sessional Order 9).

- 9 **HEALTH SERVICES AMENDMENT (MANDATORY VACCINATION OF HEALTHCARE WORKERS) BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 3 March 2020 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 10 **CRIMES AMENDMENT (MANSLAUGHTER AND RELATED OFFENCES) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 56

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 24

Neil Angus; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowsell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **PROJECT DEVELOPMENT AND CONSTRUCTION MANAGEMENT AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.07 pm under sessional orders.

- 13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate —

[The Speaker left the Chair at 5.14 pm and resumed it at 5.27 pm]

After further debate, the Speaker left the Chair at 5.57 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

VOTES AND PROCEEDINGS

Nos 60, 61 and 62

No 60 — Tuesday 17 March 2020

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **CONSTITUTION AMENDMENT (FRACKING BAN) BILL 2020** — Mr Pallas introduced ‘A Bill for an Act to amend the **Constitution Act 1975** to constrain the power of the Parliament to make laws repealing, altering or varying certain provisions that prohibit hydraulic fracturing and coal seam gas exploration and mining and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETROLEUM LEGISLATION AMENDMENT BILL 2020** — Mr Pallas introduced ‘A Bill for an Act to amend the **Petroleum Act 1998** and the **Offshore Petroleum and Greenhouse Gas Storage Act 2010** and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2020** — Ms Hennessy introduced ‘A Bill for an Act to amend the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997** to implement recommendations of the Victorian Law Reform Commission arising from its review of that Act, to amend that Act and the **Mental Health Act 2014** to transfer functions of the Forensic Leave Panel to the Mental Health Tribunal, to amend the **Disability Act 2006** in relation to custodial supervision orders, to consequentially amend other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **LOCAL GOVERNMENT (WHITTLESEA CITY COUNCIL) BILL 2020** — Ms Kairouz introduced ‘A Bill for an Act to dismiss the Whittlesea City Council and to provide for a general election for that Council and for other purposes’; and the Bill was read a first time. In accordance with SO 61(3)(b), the House proceeded immediately to the second reading.

Ms Kairouz tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Kew*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 7 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Coburg Railway Signal Box — Requesting that the Legislative Assembly takes action to retain the Coburg Railway signal box by relocating it to a nearby site within the Upfield Railway Line Precinct, changing the rail bridge plans to raise its height, or moving its supporting pylons, bearing 237 signatures (*Dr Read*)

Euroa Medical Family Practice — Requesting that the Legislative Assembly calls on the Government to provide immediate funding for new imaging equipment at Euroa Medical Family Practice to ensure local residents have accessible imaging services in Euroa, bearing 44 signatures (*Ms Ryan*)

Strathbogie Fire Station — Requesting that the Legislative Assembly urges the Government to fund a new fire station in Strathbogie to provide the space brigade members need to serve the community, bearing 2189 signatures (*Ms Ryan*)

Urgent Improvement to Intersection in Warrandyte South — Requesting that the Legislative Assembly ensures the Government takes urgent steps to ensure the Department of Transport improves the Croydon Road, Brumbys Road, Ringwood-Warrandyte Road and Husseys Lane intersection in Warrandyte South, bearing 54 signatures (*Mr Smith, Warrandyte*).

Petitions ordered to be tabled.

- 8 **PETITION — EUROA MEDICAL FAMILY PRACTICE** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 9 **PETITION — STRATHBOGIE FIRE STATION** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 10 **PETITION — URGENT IMPROVEMENT TO INTERSECTION IN WARRANDYTE SOUTH** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.
- 11 **DOCUMENTS**

MUNICIPAL MONITOR — Report on the governance and operations of the Whittlesea City Council tabled by leave (*Ms Allan*).

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny tabled the Alert Digest No 4 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Disability Service Safeguards Amendment Bill 2020
Education and Training Reform Amendment (Regulation of Student Accommodation) Bill 2020
Family Violence Reform Implementation Monitor Amendment Bill 2020
Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Bill 2020
North East Link Bill 2020
Sentencing Amendment (Emergency Worker Harm) Bill 2020

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Mt Buninyong Scenic Reserve

Financial Management Act 1994 — 2019–20 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2019

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 116/2019 (*Gazette S118, 11 March 2020*)

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by Members of the Legislative Assembly — Ordinary Returns 28 February 2020 (two volumes) — Ordered to be published

Public Health and Wellbeing Act 2008 — Report to Parliament on the Declaration of a State of Emergency

Statutory Rules under the following Acts:

County Court Act 1958 — SR 16

Drugs, Poisons and Controlled Substances Act 1981 — SR 15

Members of Parliament (Standards) Act 1978 — SR 17

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 13, 14, 15, 16

Documents under s 16B in relation to the *Service Victoria Act 2018* — Identity Verification Standards.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Environment Protection Amendment Act 2018 — Remaining provisions — 1 July 2020 (*Gazette S104, 3 March 2020*)

Land (Revocation of Reservations) Act 2019 — Whole Act — 17 March 2020 (*Gazette S122, 11 March 2020*).

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Road Safety and Other Legislation Amendment Bill 2019 without amendment.
- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Local Government Bill 2019 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had today given the royal assent to the Road Safety and Other Legislation Amendment Bill 2019, presented to her by the Clerk of the Parliaments.
- 15 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the North East Link Bill 2020.
- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 3.00 pm on Thursday 19 March 2020:

Assisted Reproductive Treatment Amendment Bill 2020
 Disability Service Safeguards Amendment Bill 2020
 North East Link Bill 2020
 Sentencing Amendment (Emergency Worker Harm) Bill 2020

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Jill Hennessy; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Richardson; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 25

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; Russell Northe; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Steph Ryan; Ellen Sandell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

-
- 17 **STATEMENTS BY MEMBERS** — Members made statements.
- 18 **LOCAL GOVERNMENT (WHITTLESEA CITY COUNCIL) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Bill read a second time and, by leave, immediately read a third time.
- Bill sent to the Legislative Council and their agreement requested.
- 19 **LOCAL GOVERNMENT BILL 2019** — Order read for the consideration of the amendments made by the Legislative Council.
- After debate, the amendments were agreed to.
- Message sent to the Legislative Council informing them accordingly.
- 20 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business was interrupted at 7.00 pm under sessional orders.*
- 21 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.32 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 61 — Wednesday 18 March 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **JUSTICE LEGISLATION AMENDMENT (DRUG COURT AND OTHER MATTERS) BILL 2020** — Ms Hennessy introduced ‘A Bill for an Act to amend the **County Court Act 1958** to establish a Drug Court Division of the County Court and to make consequential and related amendments to certain other Acts, to amend the **Limitation of Actions Act 1958** in relation to previously barred causes of action relating to child abuse, to make miscellaneous amendments to the **Charities Act 1978** and the **Victorian Civil and Administrative Tribunal Act 1998** and to amend the **Children, Youth and Families Act 2005** in relation to chairpersons and alternate chairpersons of the Youth Parole Board and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **WAGE THEFT BILL 2020** — Ms Hennessy introduced ‘A Bill for an Act to create offences relating to the theft of employee entitlements and the keeping of records relating to employee

entitlements, to establish the Wage Inspectorate Victoria and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 4 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Kilsyth Planning Scheme Amendment — Requesting that the Legislative Assembly demands the Government disallow the proposed planning scheme amendment for 150 Cambridge Road, Kilsyth to preserve the site and to accommodate the demand for recreational public open space created by population growth, bearing 273 signatures (*Mr Hodgett*).

Ordered to be tabled.

- 5 **PETITION — KILSYTH PLANNING SCHEME AMENDMENT** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.

- 6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Freight Outcomes from Regional Rail Upgrades — Ordered to be published
Managing Development Contributions — Ordered to be published

Commissioner for Environmental Sustainability Victoria — Strategic Audit: Implementation of environmental management systems in Victorian Government 2018–19

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 130/2019 (*Gazette G10, 12 March 2020*).

- 7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Bill 2020
National Electricity (Victoria) Amendment Bill 2020.

- 8 **STATEMENTS BY MEMBERS** — Members made statements.

- 9 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.

- 10 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made and question proposed — That:

- (1) This House notes that as we move to slow the spread of COVID-19 and reduce its impact on elderly and vulnerable Victorians, workplaces across Australia are changing the way

they work, therefore in the current circumstances this House should only be dealing with essential matters of business.

(2) So much of standing and sessional orders be suspended immediately to allow:

(a) the order of business for the remainder of the week to be:

Wednesday 18 March 2020

Question time (11.00 am)

Government business *continued*

Adjournment (3.00 pm)

Thursday 19 March 2020

Formal business

Government business

Question time (11.00 am)

Government business *continued*

Adjournment (3.00 pm);

(b) there to be no adjournment debate under SO 33

(Ms Allan) — and, after debate —

Business was interrupted at 11.00 am under sessional orders.

11 **QUESTION TIME** — (Under Sessional Order 9).

12 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Debate continued on question — That the motion be agreed to.

Amendment proposed — That after paragraph (2)(b) the following words be inserted:

‘(c) members to submit:

(i) members statements for Thursday;

(ii) adjournment matters for Wednesday and Thursday —

by providing them to the Clerk in writing by the adjournment of the House on Wednesday and Thursday respectively.

(3) This House authorises and requires the members statements from Thursday and the adjournment matters from Wednesday and Thursday to be published in Hansard at the end of each day’s Hansard:

(a) subject to the Hansard editorial policy; and

- (b) if any matter contains unbecoming expressions, the Speaker may direct that the matter be removed or amended before it is published.’

(*Mr Pearson*) — and, after debate —

Motion made and question — That the question be now put (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Danielle Green; Bronwyn Halfpenny; Katie Hall; Jill Hennessy; Sam Hibbins; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 22

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Richard Riordan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That the amendment be agreed to — accordingly put and agreed to.

Question — That the motion, as amended, be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Danielle Green; Bronwyn Halfpenny; Katie Hall; Jill Hennessy; Sam Hibbins; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 22

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Richard Riordan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 13 **CONSTITUTION AMENDMENT (FRACKING BAN) BILL 2020** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 1 April 2020.

- 14 **PETROLEUM LEGISLATION AMENDMENT BILL 2020** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 1 April 2020.

- 15 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 1 April 2020.

- 16 **SENTENCING AMENDMENT (EMERGENCY WORKER HARM) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 3.00 pm under the resolution of the House today.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 3.00 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 62 — Thursday 19 March 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Recognition of Victoria's Sustainable Native Timber Industry — Requesting that the Legislative Assembly recognises and supports Victoria's sustainable and internationally accredited native timber industry, bearing 710 signatures (*Mr Bull, Gippsland East*)

Toxic Soil Storage in the City of Wyndham — Requesting that the Legislative Assembly ensures that toxic soil is not placed in any temporary or permanent storage facility within the Local Government Area of the City of Wyndham, bearing 4483 signatures (*Mr Pallas*).

Petitions ordered to be tabled.

- 3 **PETITION — RECOGNITION OF VICTORIA'S SUSTAINABLE NATIVE TIMBER INDUSTRY** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.

4 **DOCUMENTS**

PLAN MELBOURNE 2017–2050 — Report on Progress 2019 tabled by leave (*Mr Wynne*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Ravenhall Prison: Rehabilitating and Reintegrating Prisoners — Ordered to be published

Planning and Environment Act 1987 — Notice of approval of an amendment to the Mornington Peninsula Planning Scheme — C231

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2018–19

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice (*Gazette S128, 13 March 2020*).

- 5 **SITTING OF THE HOUSE** — Motion made and question proposed — That the House, at its rising, adjourns until a day and hour to be fixed by the Speaker, who will notify members accordingly (*Ms Allan*) — and, after debate —

Amendment proposed — That all the words after ‘until’ be omitted and replaced with the words ‘Tuesday 5 May 2020’ (*Ms Staley*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.
The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 49

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Danielle Green; Bronwyn Halfpenny; Katie Hall; Jill Hennessy; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Original question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 49

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Danielle Green; Bronwyn Halfpenny; Katie Hall; Jill Hennessy; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 6 **ELECTORAL MATTERS COMMITTEE** — Motion made and question — That this House refers an inquiry into the impact of social media on Victorian elections and Victoria's electoral administration to the Electoral Matters Committee for consideration and report no later than 30 June 2021 and the Committee should consider:

- (1) the impact of social media technologies on the Victorian electoral process, focusing on how social media platforms are used for political communication and whether current regulations regarding the authorisation of political content on social media are appropriate;
- (2) whether online electoral advertising is appropriately regulated in Victoria; and
- (3) how social media and new communications technologies are used by the Victorian Electoral Commission and the Parliament to engage Victorians and improve knowledge of electoral processes

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 71

Juliana Addison; Jacinta Allan; Daniel Andrews; Neil Angus; Brad Battin; Gary Blackwood; Lizzie Blandthorn; Chris Brayne; Roma Britnell; Josh Bull; Tim Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Danielle Green; Bronwyn Halfpenny; Katie Hall; Jill Hennessy; David Hodgett; Melissa Horne; Marlene Kairouz; Emma Kealy; John Kennedy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; Cindy McLeish; James Merlino; Lisa Neville; James Newbury; Danny O'Brien; Michael O'Brien; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Richard Riordan; Brad Rowswell; Steph Ryan; Robin Scott; Michaela Settle; Tim Smith; David Southwick; Ros Spence; Nick Staikos; Louise Staley; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Bridget Vallence; Nick Wakeling; Peter Walsh; Vicki Ward; Kim Wells; Gabrielle Williams; Richard Wynne.

NOES 3

Sam Hibbins; Tim Read; Ellen Sandell.

Question agreed to.

- 7 **JUSTICE LEGISLATION AMENDMENT (DRUG COURT AND OTHER MATTERS) BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 2 April 2020.

- 8 **WAGE THEFT BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 2 April 2020.

- 9 **DISABILITY SERVICE SAFEGUARDS AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under the resolution of the House on Wednesday 18 March 2020.

- 10 **QUESTION TIME** — (Under Sessional Order 9).

- 11 **DISABILITY SERVICE SAFEGUARDS AMENDMENT BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **NORTH EAST LINK BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Hibbins announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 17 March 2020 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 70

Juliana Addison; Jacinta Allan; Daniel Andrews; Neil Angus; Brad Battin; Gary Blackwood; Lizzie Blandthorn; Chris Brayne; Roma Britnell; Josh Bull; Tim Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Danielle Green; Matthew Guy; Bronwyn Halfpenny; Katie Hall; Jill Hennessy; David Hodgett; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; Cindy McLeish; James Merlino; Lisa Neville; James Newbury; Danny O'Brien; Michael O'Brien; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Richard Riordan; Brad Rowswell; Steph Ryan; Robin Scott; Michaela Settle; Tim Smith; David Southwick; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Bridget Vallence; Nick Wakeling; Peter Walsh; Vicki Ward; Kim Wells; Gabrielle Williams; Richard Wynne.

NOES 4

Sam Hibbins; Russell Northe; Tim Read; Ellen Sandell.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **SENTENCING AMENDMENT (EMERGENCY WORKER HARM) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

-
- 15 **DISABILITY SERVICE SAFEGUARDS AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 3.07 pm under the resolution of the House on Wednesday 18 March 2020.

- 16 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 3.07 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

No 63

No 63 — Thursday 23 April 2020

- 1 The House met in accordance with the terms of the resolution of 19 March 2020, the Speaker having fixed today at 9.30 am as the time of meeting — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **EASTERN FREEWAY INCIDENT** — By leave, the Premier and the Leader of the Opposition made statements on the Eastern Freeway incident in which four Victorian police officers were struck and killed; and members rose in their places as a further mark of respect to the memory of the deceased.
- 3 **DEATH OF CARL WILLIAM DUNN KIRKWOOD AND KEITH HENRY REMINGTON** — The Speaker announced the death of Carl William Dunn Kirkwood, Member of the Legislative Assembly for the District of Preston from 1970 to 1988, and the death of Keith Henry Remington, Member of the Legislative Assembly for the District of Melbourne from 1977 to 1988; and members rose in their places as a mark of respect to the memory of the deceased.
- 4 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That due to the current circumstances as we act to slow the spread of COVID-19:
 - (1) So much of standing and sessional orders be suspended today to allow:
 - 1 **A revised order of business**
 - (1) The order of business is:
Formal business
Government business
Questions without notice and ministers' statements
Government business *continued*.
 - (2) The Chair will interrupt for questions without notice and ministers' statements at 12.30 pm or at the completion of the joint sitting, if one is set for 12.15 pm, whichever is later.
 - (3) There will be no automatic interruption for the adjournment under SO 32 or Sessional Order 2 and no adjournment debate under SO 33.
 - 2 **Other business to be published in Hansard**
 - (1) Members may submit:

- (a) members' statements;
- (b) constituency questions; and
- (c) adjournment matters —

for today by providing them to the Clerk in writing by the adjournment of the House.

- (2) The Clerk will accept matters up to the number usually given in the House and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (3) The House authorises and requires these matters to be published in Hansard at the end of today's Hansard:
 - (a) subject to the Hansard editorial policy; and
 - (b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

3 The second reading of government bills to be moved immediately

After the first reading of each bill introduced today, a minister may move the second reading immediately.

4 Concurrent debate

The Speaker is required to permit the second reading and subsequent stages of the Appropriation (Interim) Bill 2020, the Appropriation (Parliament) (Interim) Bill 2020 and the State Taxation Acts Amendment (Relief Measures) Bill 2020 to be moved and debated concurrently.

5 Members to incorporate their speeches for bills

- (1) If a member wishes to incorporate their speech for:
 - (a) the concurrent debate of the second reading of the Appropriation (Interim) Bill 2020, the Appropriation (Parliament) (Interim) Bill 2020 and the State Taxation Acts Amendment (Relief Measures) Bill 2020;
 - (b) the debate of the second reading of the COVID-19 Omnibus (Emergency Measures) Bill 2020 —

they must provide their speech to the Clerk by 12.00 noon tomorrow.

- (2) Incorporated speeches will be published in Hansard after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any).
- (3) If any matter contains unbecoming expressions, the Speaker may direct that the matter be removed or amended before it is published.

6 A government business program

The following bills are to be considered and completed by 12.00 noon today:

Appropriation (Interim) Bill 2020
Appropriation (Parliament) (Interim) Bill 2020
COVID-19 Omnibus (Emergency Measures) Bill 2020
State Taxation Acts Amendment (Relief Measures) Bill 2020 —

and Chapter 11 of the Standing Orders to apply accordingly.

7 Reduced number of members in the Chamber

- (1) To assist with social distancing, today's sitting will be composed of no more than 26 members, being 16 from the Government, eight from the Opposition, the Member for Melbourne, and the Member for Shepparton.
- (2) If more members than those listed in paragraph (1) vote in a division, the Clerk will not count their vote.
- (3) Members who are absent today under paragraph (1) to assist with social distancing will have their names recorded in the *Votes and Proceedings* and Hansard.

8 Discretion in ringing the bells to form a quorum

To assist with social distancing, the House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.

- (2) So much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until revoked by the House or until otherwise advised by the Speaker in accordance with item 1:

1 The House to meet in another manner or form

After the House has adjourned today, it may meet in a manner and form not otherwise provided for in the standing and sessional orders or this motion:

- (a) with the agreement of the Leader of the House, the Manager of Opposition Business and the Speaker, or their representatives; and
- (b) following consultation with representatives from other parties and the Independents.

2 Release of documents when the House is not sitting

- (1) Where an Act of Parliament requires a document to be tabled and the document is received by the Clerk in a week in which the House is not sitting, the Clerk must —
 - (a) by 4.00 pm each Friday in a non-sitting week, notify each member of the House of the receipt of documents received by 10.00 am that day and advise that the documents are available in the tabled documents database;
 - (b) cause the document to be tabled in the House on the next sitting day.
- (2) If received by the Clerk under paragraph (1), the House orders reports from the following agencies to be published if so requested by those agencies:

Auditor-General
 Commission for Children and Young People
 Commissioner for Privacy and Data Protection
 Consumer Affairs Victoria
 Equal Opportunity and Human Rights Commission
 Family Violence Reform Implementation Monitor
 Gambling and Lotteries Licence Review Panel
 Independent Broad-based Anti-corruption Commission
 Law Reform Commission
 Ombudsman
 Parliamentary committees
 Victorian Inspectorate.

- (3) If received by the Clerk under paragraph (1), the House orders the following reports to be published:

Annual Financial Report of the State of Victoria
 Reports of Boards of Inquiry and Royal Commissions under the *Inquiries Act 2014*
 Community Visitors' annual reports
 Compliance Officer's statements of findings
 Legal Services Commissioner's annual reports
 Parliamentary Budget Officer's Report of Operations under s 27 of the *Parliamentary Budget Officer Act 2017*

Public Advocate's annual reports
Registers of Members' Interests
Small Business Commissioner's annual reports.

3 Publishing questions on notice when the House is not sitting

Written questions under SO 54 may also be published each Friday if the House did not sit that week.

4 Changes to committee membership

- (1) Members on committees may be replaced by providing details to the Speaker. The Speaker must receive, in writing, authorisation from the member leaving the committee and from the member to be appointed. Members leaving a joint investigatory committee must also resign in writing to the President in accordance with s 21(3) of the *Parliamentary Committees Act 2003*.
- (2) The Leader of the House and Manager of Opposition Business may jointly write to the Speaker requesting additional members be appointed to committees. Subject to the membership requirements in the *Parliamentary Committees Act 2003* and SO 205, if the Speaker approves the nomination, the additional members will immediately become members of the committee.
- (3) The Speaker must immediately advise the Chair of the committee of any replacements or additional members and advise the House on the next sitting day. These changes will be published in the *Votes and Proceedings*.

5 Extensions to committee reporting dates

- (1) A committee may agree to extend the reporting date for any inquiry referred to it by this House.
- (2) The committee must inform the Speaker of any agreed extension.
- (3) The Speaker must advise the House of any extensions on the next sitting day and these changes will be published in the *Votes and Proceedings*.

6 Appointment of financial and/or performance auditor

- (1) Subject to the agreement of the Speaker, Leader of the House and Manager of Opposition Business, this House adopts any recommendation by the Public Accounts and Estimates Committee on the appointment of a person or persons to conduct the financial and/or performance audit of the Victorian Auditor-General's Office.

- (2) On the adoption of such a recommendation, a message will be sent to the Council.
- (3) (a) The House, at its rising, adjourns until Tuesday 2 June 2020, or an earlier day and hour to be fixed by the Speaker.
- (b) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
- (c) The Speaker will notify members of any changes to the next sitting date

(Ms Allan) — after debate, put and agreed to.

- 5 **COVID-19 OMNIBUS (EMERGENCY MEASURES) BILL 2020** — Mr Andrews introduced ‘*A Bill for an Act to temporarily amend certain Acts, and to temporarily empower the making of regulations, to modify the application of the law of Victoria in certain respects for the purpose of responding to the COVID-19 pandemic and for other purposes*’; and the Bill was read a first time. In accordance with the resolution of the House today, the House proceeded immediately to the second reading.

Mr Andrews tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (Mr Andrews).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (Mr O’Brien, Malvern) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 6 **STATE TAXATION ACTS AMENDMENT (RELIEF MEASURES) BILL 2020** — Mr Pallas introduced ‘*A Bill for an Act to amend the Duties Act 2000, the First Home Owner Grant Act 2000, the Payroll Tax Act 2007 and the Taxation Administration Act 1997 to implement emergency relief measures and for other purposes*’; and the Bill was read a first time. In accordance with the resolution of the House today, the House proceeded immediately to the second reading.

Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (Mr Pallas).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

7 **ACTING SPEAKERS** — The Speaker tabled the following warrant:

PANEL OF ACTING SPEAKERS

Under Standing Order 20, I discharge Ros Spence from the panel of Acting Speakers.

This warrant amends the previous warrants of 5, 6 and 19 February 2019 and 3 March 2020.

Colin Brooks MP
SPEAKER
23 April 2020.

8 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Blandthorn, Chair, tabled a report from the Public Accounts and Estimates Committee on the appointment of a person to conduct the financial audit of the Victorian Auditor-General's Office.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Australian Criminal Intelligence Commission (Australian Crime Commission), Board of — Report 2017–18

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Sandringham Beach Park

Land Tax Act 2005 — Report 1 July to 31 December 2019 of Land Tax Absentee Owner Surcharge Exemptions under ss 3B and 3BA

Parliamentary Salaries, Allowances and Superannuation Act 1968 — Compliance Officer — Statement of Findings under s 9H — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — C124 Part 1
Baw Baw — C140
Bayside — C161 Part 1
Boroondara — C328
Brimbank — C218

Campaspe — C116
 Cardinia — C232, C256
 Casey — C270, GC143
 Colac Otway — C102
 Glen Eira — C181, C182
 Golden Plains — C85, C88
 Greater Dandenong— GC143
 Knox — C176
 Latrobe — C101
 Maroondah — C139, C140
 Maroondah Ranges — GC152
 Melton — C211, C220
 Mitchell — C144
 Moorabool — C88
 Mornington Peninsula — C258
 Stonnington — C278
 Victoria Planning Provisions — VC177, VC178, VC181
 Whitehorse — C225
 Whittlesea — C240, C244
 Wyndham — C244
 Yarra — C277
 Yarra Ranges — GC152

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of a State of Emergency

Statutory Rules under the following Acts:

Births, Deaths and Marriages Registration Act 1996 — SR 25
Building Act 1993 — SR 21
Fisheries Act 1995 — SR 19
Heavy Vehicle National Law Application Act 2013 — SR 22
Parliamentary Salaries, Allowances and Superannuation Act 1968 — SR 18
Private Security Act 2004 — SR 23
Public Health and Wellbeing Act 2008 — SR 20
Subordinate Legislation Act 1994 — SR 26
Victoria Police Act 2013 — SR 24

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 17, 18, 19, 20, 22, 23.

PROCLAMATION — Under Standing Order 177A, the Clerk tabled the following proclamation fixing operative dates:

Local Government Act 2020 — Part 1, Divisions 1, 2 and 6 of Part 2 (except ss 11, 40, 41, 42 and 43), Divisions 1 and 4 of Part 3 (except ss 55 and 57), Divisions 6 and 9 of Part 7, Part 8, Part 11 (except ss 360, 361 and 362) and ss 89, 101, 106, 325, 326, 327, 328 and 329 (other than subsections (7), (8) and (9)), the heading to Schedule 1, and items 1.1, 3, 4, 5, 7, 8.1, 9, 10, 11,

12, 13.1, 13.2, 13.3, 14, 15, 16, 17, 19, 20.1, 21.1, 21.3, 21.4, 22, 23.3, 24, 26, 27, 28.1, 29, 30.1, 31, 32, 33, 34, 35, 36, 37, 38, 39.1(a), 39.2, 40.1, 40.2, 40.7(a), 41, 42, 43.1, 44.1, 45, 45A, 46, 47.1, 47.2, 48, 49, 50, 51, 52, 53, 54.1, 55, 56.1(a), 56.2, 59, 60, 61, 62, 63, 63A, 64, 65, 67, 68, 69.1, 69.5, 70A, 71, 72, 74, 75.1, 75.5, 76, 77.2, 77.3, 77.4, 77.7, 77.8, 77.9, 78, 79, 80, 81.1, 82.1, 82.2, 83, 84, 85, 86, 87, 88, 89, 90.2, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 102, 104, 105, 106, 107, 108, 110, 111, 112, 113.2, 113.3, 113.4, 113.5, 114 and 115 of Schedule 1 — 6 April 2020; Division 8 of Part 2, Division 2 of Part 3, Part 9 (except ss 325, 326 and 327), ss 11, 40, 41, 42, 43, 47, 52, 55, 57 and 360, and items 8.7, 13.4, 18.1, 40.3, 40.5, 44.3, 47.3, 47.4, 70.1, 82.6 of Schedule 1 — 1 May 2020 (*Gazette S150, 24 March 2020*).

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Local Government (Whittlesea City Council) Bill 2020 without amendment.

10 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Speaker announced that he had received a letter from the Governor advising that she had, on 23 March 2020, received the resignation of the Hon Gavin Jennings from the Legislative Council.

Ordered — That the letter be taken into consideration immediately.

11 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — Motion made and question — That this House meets the Legislative Council for the purpose of sitting and voting together to choose a person to hold the seat in the Council rendered vacant by the resignation of the Hon Gavin Jennings, and proposes that the time and place of such meeting be the Legislative Assembly Chamber today at 12.15 pm (*Ms Allan*) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them of the resolution and requesting their agreement.

12 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 20 March 2020
Local Government (Whittlesea City Council) Bill 2020

On 24 March 2020
Health Services Amendment (Mandatory Vaccination of Healthcare Workers) Bill 2020
Local Government Bill 2019
National Electricity (Victoria) Amendment Bill 2020.

13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

COVID-19 Omnibus (Emergency Measures) Bill 2020
Justice Legislation Amendment (Drug Court and Other Matters) Bill 2020
State Taxation Acts Amendment (Relief Measures) Bill 2020
Wage Theft Bill 2020.

- 14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Interim) Bill 2020 and transmitting amounts and estimates of the Expenditure requiring appropriation in the period commencing when the Bill becomes an Act on Royal Assent and ending on 31 December 2020.

Amounts and Estimates ordered to be tabled.

- 15 **APPROPRIATION (INTERIM) BILL 2020** — Mr Pallas introduced ‘*A Bill for an Act to make interim appropriation of certain sums out of the Consolidated Fund for services and supplies for the period commencing 1 January 2020 and ending on 31 December 2020*’; and the Bill was read a first time. In accordance with the resolution of the House today, the House proceeded immediately to the second reading.

Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament) (Interim) Bill 2020 and transmitting estimates of the Expenditure requiring appropriation in the period commencing on 1 July 2020 and ending on 31 December 2020.

Estimates ordered to be tabled.

- 17 **APPROPRIATION (PARLIAMENT) (INTERIM) BILL 2020** — Mr Pallas introduced ‘*A Bill for an Act to make interim appropriation of certain sums out of the Consolidated Fund for the Parliament for the period commencing on 1 July 2020 and ending on 31 December 2020*’; and the Bill was read a first time. In accordance with the resolution of the House today, the House proceeded immediately to the second reading.

Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **ELECTORAL MATTERS COMMITTEE** — The Speaker announced that he had received the resignation of Ms Spence from the Electoral Matters Committee effective from 21 April 2020.

- 19 **COVID-19 OMNIBUS (EMERGENCY MEASURES) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr O'Brien (Malvern) announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to meet the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Council rendered vacant by the resignation of the Hon Gavin Jennings as proposed by the Assembly.

- 21 **APPROPRIATION (INTERIM) BILL 2020, APPROPRIATION (PARLIAMENT) (INTERIM) BILL 2020 AND STATE TAXATION ACTS AMENDMENT (RELIEF MEASURES) BILL 2020** — Order read for resuming debate on question — That these Bills be now read a second time; debate resumed.

Ms Staley announced amendments to be proposed when the House considers the Appropriation (Interim) Bill 2020 in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That these Bills be now read a second time.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House today had expired.

Question — That these Bills be now read a second time — put and agreed to.

Question — That these Bills be now read a third time — put and agreed to.

Bills sent to the Legislative Council and their agreement requested.

- 22 **COVID-19 OMNIBUS (EMERGENCY MEASURES) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

[The Acting Speaker left the Chair at 12.01 pm, a joint sitting was held at 12.15 pm and the Speaker resumed it at 12.30 pm]

Business was interrupted at 12.30 pm under the resolution of the House today.

23 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under the resolution of the House today).

24 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met today with the Council for the purpose of choosing a person to hold the seat in the Council rendered vacant by the resignation of the Hon Gavin Jennings and that Mr Lee Tarlamis was duly chosen to hold the vacant place.

[The Speaker left the Chair at 1.09 pm and resumed it at 11.22 pm]

25 **MEMBERS ABSENT** — To assist with social distancing in the Chamber the following members were absent today:

Juliana Addison; Brad Battin; Gary Blackwood; Chris Brayne; Roma Britnell; Josh Bull; Tim Bull; Neale Burgess; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Paul Edbrooke; Maree Edwards; John Eren; Will Fowles; Matt Fregon; Danielle Green; Matthew Guy; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Sam Hibbins; David Hodgett; Melissa Horne; Natalie Hutchins; Emma Kealy; John Kennedy; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; David Morris; James Newbury; Russell Northe; Danny O'Brien; Tim Read; Pauline Richards; Tim Richardson; Richard Riordan; Brad Rowswell; Robin Scott; Michaela Settle; Ryan Smith; Ros Spence; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Bill Tilley; Nick Wakeling; Vicki Ward; Gabrielle Williams; Richard Wynne.

26 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the COVID-19 Omnibus (Emergency Measures) Bill 2020 without amendment.

27 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.

28 **ADJOURNMENT** — The Speaker left the Chair at 11.24 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 64, 65 and 66

No 64 — Tuesday 2 June 2020

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF MAXWELL LESLIE CRELLIN** — The Speaker announced the death of Maxwell Leslie Crellin, Member of the Legislative Assembly for the District of Sandringham from 1970 to 1982; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That:
 - (1) Due to the current circumstances as we act to slow the spread of COVID-19 through physical distancing as recommended by the Chief Health Officer, so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 3 August 2020 or an earlier date agreed to by the Speaker, Leader of the House and the Manager of Opposition Business, or their representatives:

Reduced number of members in the Chamber to assist with physical distancing

- (a) subject to paragraph (b), the Chamber will be composed of the Chair and no more than 28 other members, being 17 from the Government, eight from the Opposition, one Greens member, and two independent members;
- (b) for a division the Chamber will be composed of the Chair and no more than 28 other members, being 16 from the Government, eight from the Opposition, one Greens member, and the three independent members;
- (c) if more members than those listed in paragraph (b) vote in a division, the Clerk will not count their vote;
- (d) the names of members who are absent each sitting day will be recorded in the *Votes and Proceedings* and Hansard;

Discretion in ringing the bells to form a quorum to assist with physical distancing

- (e) the House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.

- (2) The ongoing arrangements set up in the resolution of the House on 23 April 2020 be revoked

(*Ms Allan*) — after debate, put and agreed to.

4 **QUESTION TIME** — (Under Sessional Order 9).

- 5 **POLICE AND EMERGENCY LEGISLATION AMENDMENT BILL 2020** — Ms Neville introduced ‘*A Bill for an Act to amend the **Victoria Police Act 2013**, the **Crimes Act 1958**, the **Family Violence Protection Act 2008**, the **Sheriff Act 2009** and the **Fire Rescue Victoria Act 1958** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 6 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2020** — Mr Foley introduced ‘*A Bill for an Act to amend the **Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015** and the **Child Wellbeing and Safety Act 2005** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **DOCUMENTS**

UNIVERSITY OF DIVINITY — Report 2019 tabled by leave (*Mr Merlino*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny tabled the Alert Digest No 5 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (Interim) Act 2020
 Appropriation (Parliament) (Interim) Act 2020
 Constitution Amendment (Fracking Ban) Bill 2020
 COVID-19 Omnibus (Emergency Measures) Act 2020
 Crimes (Mental Impairment and Unfitness to be Tried) Amendment Bill 2020
 Justice Legislation Amendment (Drug Court and Other Matters) Bill 2020
 Local Government (Whittlesea City Council) Act 2020
 Petroleum Legislation Amendment Bill 2020
 Sentencing Amendment (Emergency Worker Harm) Bill 2020
 State Taxation Acts Amendment (Relief Measures) Act 2020
 Wage Theft Bill 2020
 Practitioner Remuneration Order 2020
 SR No 109/2019 — Wildlife (Marine Mammals) Regulations 2019
 SR No 134/2019 — Education and Training Reform Amendment Regulations 2019
 SR No 163/2019 — Fisheries Regulations 2019

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Managing Support and Safety Hubs — Ordered to be published

Personnel Security: Due Diligence Over Public Service Employees — Ordered to be published

Bendigo Kangan Institute — Report 2019

Box Hill Institute — Report 2019

Chisholm Institute — Report 2019

Deakin University — Report 2019

Federation University Australia — Report 2019

Financial Management Act 1994 — 2019–20 Quarterly Financial Report No 3

Gambling Regulation Act 2003 — Amendments to the Public Lottery Licence

Gordon Institute of TAFE (The Gordon) — Report 2019

Goulburn Ovens Institute of TAFE (GOTAFE) — Report 2019

Holmesglen Institute — Report 2019

Independent Broad-based Anti-corruption Commission — Operation Betka: An investigation into alleged corrupt conduct by a former contractor of the Department of Education and Training — Ordered to be published

Land Acquisition and Compensation Act 1986 — Certificate under s 7

La Trobe University — Report 2019

Melbourne Polytechnic — Report 2019

Monash University — Report 2019

Municipal Association of Victoria — Report 2018–19

Ombudsman:

Investigations into allegations of nepotism in government schools — Ordered to be published

Investigation of alleged improper conduct by Executive Officers at Ballarat City Council — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C213
Banyule — C155
Bass Coast — GC112
Baw Baw — GC112
Colac Otway — C104, GC112
Darebin — C187
East Gippsland — GC112
Frankston — C131
Glen Eira — C198
Glenelg — GC112
Greater Bendigo — C252, GC112
Greater Geelong — GC112
Greater Shepparton — C213, C222
Hepburn — GC112
Hume — C239
Latrobe — C123, GC112
Melbourne — C365, C375, C383
Mitchell — GC112
Monash — C131
Moorabool — GC112
Moreland — C164 Parts 1 and 2
Mornington Peninsula — C274
Moyne — GC112
Port Phillip — C188
South Gippsland — C90, GC112
Southern Grampians — GC112
Strathbogie — GC112
Surf Coast — C130
Towong — C25
Victoria Planning Provisions — VC175
Warrnambool — GC112
Wellington — GC112
Whittlesea — C238
Wodonga — GC112
Wyndham — C242
Yarra — C265

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of a State of Emergency

Royal Melbourne Institute of Technology (RMIT University) — Report 2019

Statutory Rules under the following Acts:

Building Act 1993 — SR 42

Children's Services Act 1996 — SR 32
County Court Act 1958 — SR 27
COVID-19 Omnibus (Emergency Measures) Act 2020 — SRs 31, 34, 38
Disability Service Safeguards Act 2018 — SR 36
Flora and Fauna Guarantee Act 1988 — SR 41
Magistrates' Court Act 1989 — SRs 39, 40
Residential Tenancies Act 1997 — SR 35
Subordinate Legislation Act 1994 — SR 33
Supreme Court Act 1986 — SRs 29, 30
Transport Accident Act 1986 — SR 37
Victorian Civil and Administrative Tribunal Act 1998 — SR 28
Workplace Injury Rehabilitation and Compensation Act 2013 — SR 43

Subordinate Legislation Act 1994:

Documents under s 15 in relation Statutory Rules 21, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 37, 38, 39, 40, 43

Documents under s 16B in relation to:

Fisheries Act 1995:

Amending order — Initial quota order under s 64 — Pipi Fishery
Amending order — Initial quota order under s 64 — Sea Urchin Fishery
Further amending order — Initial quota order for the Eastern Zone of the Victorian Rock Lobster Fishery
Further amending order — Initial quota order for the Western Zone of the Victorian Rock Lobster Fishery
Further amending order — Initial quota order for the Giant Crab Fishery in the western zone
Initial abalone quota order
Initial quota order under s 64 — Banded Morwong Fishery
Initial quota order under s 64 — Pipi Fishery
Ministerial direction under s 61
Gambling Regulation Act 2003 — Notice under s 3.6.5A fixing the value of the supervision charge
Water Act 1989 — Coliban Region Water Corporation By-law No 13 — Recreational Areas

South West Institute of TAFE — Report 2019

Sunrasyia Institute of TAFE (SuniTAFE) — Report 2019

Swinburne University of Technology — Report 2019

TAFE Gippsland — Report 2019

University of Melbourne — Report 2019

Victoria University — Report 2019

Victoria Police, Chief Commissioner — Report 2019 under s 96 of the *Drugs, Poisons and Controlled Substances Act 1981*

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notices (two notices) (*Gazette S234, 12 May 2020 and S246, 19 May 2020*)

William Angliss Institute of TAFE — Report 2019

Wodonga Institute of TAFE — Report 2019.

PROCLAMATION — Under Standing Order 177A, the Clerk tabled the following proclamation fixing an operative date:

Children's Services Amendment Act 2019 — Whole Act — 17 May 2020 (*Gazette S232, 12 May 2020*).

- 8 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Appropriation (Interim) Bill 2020

Appropriation (Parliament) (Interim) Bill 2020

State Taxation Acts Amendment (Relief Measures) Bill 2020.

- 9 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 24 April 2020

COVID-19 Omnibus (Emergency Measures) Bill 2020

On 28 April 2020

Appropriation (Interim) Bill 2020

Appropriation (Parliament) (Interim) Bill 2020

State Taxation Acts Amendment (Relief Measures) Bill 2020.

- 10 **FINANCIAL AUDIT OF THE VICTORIAN AUDITOR-GENERAL'S OFFICE** — The Speaker advised the House that, under the resolution of the House on 23 April 2020, the Assembly had adopted the recommendation of the Public Accounts and Estimates Committee and agreed to appoint Mr Steven Bradby of PKF Melbourne Audit and Assurance to conduct the financial audit of the Victorian Auditor-General's Office.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to appoint Steven Bradby of PKF Melbourne Audit and Assurance to conduct the financial audit of the Victorian Auditor-General's Office.

- 12 **EXTENSIONS TO COMMITTEE REPORTING DATES** — The Speaker advised the House that the following committees had agreed to extensions to reporting dates under the resolution of the House on 23 April 2020:

The **Economy and Infrastructure Standing Committee** has extended its reporting date for the Inquiry into sustainable employment for disadvantaged jobseekers to 30 September 2020.

The **Environment and Planning Standing Committee** has extended its reporting date for the Inquiry into tackling climate change in Victorian communities to 3 December 2020, and its Inquiry into environmental infrastructure for growing populations to 30 June 2021.

The **Legal and Social Issues Standing Committee** has extended its reporting date for the Inquiry into early childhood engagement of culturally and linguistically diverse communities to 31 August 2020.

- 13 **ELECTORAL MATTERS COMMITTEE** — The Speaker announced that he had received the resignation of Mr Atkinson MLC from the Electoral Matters Committee, effective from 15 May 2020.
- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 4 June 2020:

Petroleum Legislation Amendment Bill 2020
Retail Leases Amendment Bill 2019
Wage Theft Bill 2020

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 16

Jacinta Allan; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Steve Dimopoulos; Paul Edbrooke; Will Fowles; Matt Fregon; Bronwyn Halfpenny; Katie Hall; John Kennedy; Sonya Kilkenny; Danny Pearson; Nick Staikos.

NOES 11

Gary Blackwood; James Newbury; Russell Northe; Danny O'Brien; Tim Read; Brad Rowswell; Suzanna Sheed; Ryan Smith; Louise Staley; Peter Walsh; Kim Wells.

Question agreed to.

- 15 **STATEMENTS BY MEMBERS** — Members made statements.
- 16 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.
- 17 **PETROLEUM LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Smith (Warrandyte) announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **WAGE THEFT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Wakeling announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate —

The Deputy Speaker advised the House that the following members were absent today to assist with physical distancing:

Lizzie Blandthorn, Neale Burgess, John Eren, Emma Kealy, Ellen Sandell, Michaela Settle, Natalie Suleyman and Bill Tilley.

The Deputy Speaker left the Chair at 7.22 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 65 — Wednesday 3 June 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Alexandra Gardens Reserve and Kings Domain Reserve

Order under s 17D granting a lease over Sandringham Beach Park

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 24.

- 3 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Disability Service Safeguards Amendment Bill 2020
North East Link Bill 2020.

- 4 **STATEMENTS BY MEMBERS** — Members made statements.

- 5 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.

- 6 **POLICE AND EMERGENCY LEGISLATION AMENDMENT BILL 2020** — Ms Neville tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 17 June 2020.

- 7 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2020** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 17 June 2020.

- 8 **WAGE THEFT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 9 **QUESTION TIME** — (Under Sessional Order 9).

Member named and suspended — The Member for Warrandyte (*Mr Smith*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Warrandyte (*Mr Smith*) be suspended from the service of the House for the remainder of today's sitting and tomorrow (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 19

Jacinta Allan; Daniel Andrews; Ben Carroll; Ali Cupper; Lily D'Ambrosio; Luke Donnellan; Martin Foley; Jill Hennessy; Melissa Horne; Marlene Kairouz; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Ellen Sandell; Robin Scott; Suzanna Sheed; Ros Spence; Gabrielle Williams.

NOES 8

Gary Blackwood; Tim Bull; Cindy McLeish; Michael O'Brien; Ryan Smith; Louise Staley; Bridget Vallence; Peter Walsh.

Question agreed to.

Mr Smith (Warrandyte) accordingly withdrew from the Chamber.

Question time continued.

- 10 **WAGE THEFT BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 11 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 12 **WAGE THEFT BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Ryan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **RETAIL LEASES AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 14 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate —

The Speaker advised the House that the following members were absent today to assist with physical distancing:

Lizzie Blandthorn, Neale Burgess, John Eren, Emma Kealy, Danny Pearson, Michaela Settle, Natalie Suleyman and Bill Tilley.

The Speaker left the Chair at 7.26 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 66 — Thursday 4 June 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Holden Street and St Georges Road Intersection, Fitzroy North — Requesting that the Legislative Assembly calls on the Government to review traffic movements at the intersection of Holden Street and St Georges Road, Fitzroy North, bearing 265 signatures (*Dr Read*).

Ordered to be tabled.
- 3 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:

Freedom of Information Act 1982 — Statement of reasons for seeking leave to appeal under s 65AB.
- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 16 June 2020 (*Mr Merlino*) — put and agreed to.
- 5 **STATEMENTS BY MEMBERS** — Members made statements.
- 6 **WAGE THEFT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.
- 7 **QUESTION TIME** — (Under Sessional Order 9).
- 8 **WAGE THEFT BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Kennedy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Amendment (Manslaughter and Related Offences) Bill 2020 without amendment.

10 **RETAIL LEASES AMENDMENT BILL 2019** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 2 June 2020 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

11 **PETROLEUM LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 26

Jacinta Allan; Brad Battin; Gary Blackwood; Tim Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Steve Dimopoulos; Bronwyn Halfpenny; Paul Hamer; Natalie Hutchins; Sonya Kilkenny; Gary Maas; Frank McGuire; David Morris; Russell Northe; Danny Pearson; Pauline Richards; Brad Rowswell; Suzanna Sheed; Nick Staikos; Louise Staley; Meng Heang Tak; Nick Wakeling; Peter Walsh; Vicki Ward.

NOES 2

Ali Cupper; Tim Read.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

12 **WAGE THEFT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 19

Jacinta Allan; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Ali Cupper; Steve Dimopoulos; Bronwyn Halfpenny; Paul Hamer; Natalie Hutchins; Sonya Kilkenny; Gary Maas; Frank McGuire; Danny Pearson; Tim Read; Pauline Richards; Suzanna Sheed; Nick Staikos; Meng Heang Tak; Vicki Ward.

NOES 9

Brad Battin; Gary Blackwood; Tim Bull; David Morris; Russell Northe; Brad Rowswell; Louise Staley; Nick Wakeling; Peter Walsh.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.10 pm under sessional orders.

13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate —

The Speaker advised the House that the following members were absent today to assist with physical distancing:

Lizzie Blandthorn, Neale Burgess, John Eren, Emma Kealy, Natalie Suleyman and Bill Tilley.

The Speaker left the Chair at 5.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 67, 68 and 69

No 67 — Tuesday 16 June 2020

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **CONSUMER AND OTHER ACTS MISCELLANEOUS AMENDMENTS BILL 2020** — Ms Hennessy introduced ‘A Bill for an Act to make miscellaneous amendments to the **Associations Incorporation Reform Act 2012**, the **Australian Consumer Law and Fair Trading Act 2012**, the **Gambling Regulation Act 2003**, the **Liquor Control Reform Act 1998**, the **Residential Tenancies Act 1997**, the **Residential Tenancies Amendment Act 2018**, the **Rooming House Operators Act 2016**, the **Victims of Crime Assistance Act 1996**, the **Victims of Crime Commissioner Act 2015**, the **Victorian Civil and Administrative Tribunal Act 1998** and the **Working with Children Act 2005**, to make statute law revision amendments to consumer Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **EDUCATION AND TRAINING REFORM AMENDMENT BILL 2020** — Mr Merlino introduced ‘A Bill for an Act to amend the **Education and Training Reform Act 2006** and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **NATIONAL ENERGY LEGISLATION AMENDMENT BILL 2020** — Ms D’Ambrosio introduced ‘A Bill for an Act to amend the **National Electricity (Victoria) Act 2005**, the **National Gas (Victoria) Act 2008** and to make related amendments to the **Electricity Industry Act 2000** and the **Gas Industry Act 2001** and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Stop Childcare Centre Development in Brookfield — Requesting that the Legislative Assembly stops the development of a childcare centre at 232 Clarkes Road, Brookfield, bearing 66 signatures (*Mr McGhie*).

Ordered to be tabled.

7 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny tabled the Alert Digest No 6 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Police and Emergency Legislation Amendment Bill 2020
 Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2020
 Wildlife Rescue Victoria Bill 2020

together with appendices.

Ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Riordan, Deputy Chair, tabled a report from the Public Accounts and Estimates Committee on the Inquiry into Auditor-General's Report No 202: Meeting Obligations to Protect Ramsar Wetlands (2016), together with an appendix and transcripts of evidence.

Report and appendix ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Commissioner for Environmental Sustainability Victoria — Framework for the Victorian State of the Environment 2023 Report: Science for Sustainable Development

Drugs, Poisons and Controlled Substances Act 1981 — Review of the Medically Supervised Injecting Room

Financial Management Act 1994:

Report from the Minister for Energy, Environment and Climate Change that she had not received the reports 2019 of the:

Falls Creek Alpine Resort Management Board
 Mount Buller and Mount Stirling Alpine Resort Management Board
 Mount Hotham Alpine Resort Management Board
 Southern Alpine Resort Management Board —
 together with an explanation for the delay

Report from the Minister for Energy, Environment and Climate Change that she had received the Report 2016–17 of the Yorta Yorta Traditional Owner Land Management Board

Multicultural Victoria Act 2011 — Victorian Government Report in Multicultural Affairs 2018–19

Parliamentary Salaries, Allowances and Superannuation Act 1968 — Report on distribution from the Assembly Suspension Fines Fund 2018–19

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C216 Part 1
Darebin — C189
Glen Eira — C206
Greater Bendigo — C239
Greater Dandenong — C213
Greater Shepparton — C212
Kingston — C191
Maribyrnong — C165
Melbourne — C382
Melton — C173
Swan Hill — C76

Statutory Rules under the following Acts:

COVID-19 Omnibus (Emergency Measures) Act 2020 — SR 45
Magistrates' Court Act 1989 — SR 44
Residential Tenancies Act 1997 — SR 48
Road Safety Act 1986 — SR 46
Subordinate Legislation Act 1994 — SR 47

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 36, 41, 44, 45, 46, 47

Documents under s 16B in relation to:

Fisheries Act 1995 — Initial quota order under s 64 for the eastern octopus zone of the Victorian octopus fishery

Gambling Regulation Act 2003 — Ministerial Direction under s 4.8A.2

Victorian Inspectorate:

Annual Plan 2020–21

Report 1 July to 31 December 2019 under s 30Q of the *Surveillance Devices Act 1999*.

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Assisted Reproductive Treatment Amendment Bill 2020 without amendment.
- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Great Ocean Road and Environs Protection Bill 2019 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 10 June 2020, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Assisted Reproductive Treatment Amendment Bill 2020
 Crimes Amendment (Manslaughter and Related Offences) Bill 2020
 Disability Service Safeguards Amendment Bill 2020
 North East Link Bill 2020.

- 11 **ELECTORAL MATTERS COMMITTEE** — Motion made, by leave, and question — That Mr Guy be a member of the Electoral Matters Committee (*Ms Allan*) — put and agreed to.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 18 June 2020:

Education and Training Reform Amendment (Regulation of Student Accommodation) Bill 2020
 Justice Legislation Amendment (Drug Court and Other Matters) Bill 2020
 Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2020

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 16

Juliana Addison; Jacinta Allan; Josh Bull; Anthony Carbines; Jordan Crugnale; Paul Edbrooke; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; John Kennedy; Sonya Kilkenny; Mary-Anne Thomas; Vicki Ward.

NOES 11

Neil Angus; David Morris; Russell Northe; Danny O'Brien; Ellen Sandell; Suzanna Sheed; David Southwick; Bill Tilley; Bridget Vallenge; Peter Walsh; Kim Wells.

Question agreed to.

- 13 **STATEMENTS BY MEMBERS** — Members made statements.
- 14 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 15 **EDUCATION AND TRAINING REFORM AMENDMENT (REGULATION OF STUDENT ACCOMMODATION) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **JUSTICE LEGISLATION AMENDMENT (DRUG COURT AND OTHER MATTERS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms Hennessy announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Mr Southwick announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 68 — Wednesday 17 June 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Fuel Prices in Regional Victoria – Requesting that the Legislative Assembly start a parliamentary inquiry into fuel prices in regional Victoria, specifically Yarrawonga, bearing 135 signatures (*Mr McCurdy*).

Ordered to be tabled.

- 3 **DOCUMENTS**

SUSTAINABILITY FUND ACTIVITIES — Report 2018–19 tabled by leave (*Ms D’Ambrosio*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Protecting Critically Endangered Grasslands — Ordered to be published
Responses to Performance Audit Recommendations 2015–16 to 2017–18 — Ordered to be published

Environment Protection Act 1970 — Sustainability Fund Guidelines 2020

Falls Creek Alpine Resort Management Board — Report 2019

Mount Buller and Mount Stirling Alpine Resort Management Board — Report 2019

Mount Hotham Alpine Resort Management Board — Report 2019

Planning and Environment Act 1987:

Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan — Amendment 123
Whittlesea Planning Scheme — Amendment C203

Southern Alpine Resort Management Board — Report 2019.

4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Petroleum Legislation Amendment Bill 2020
Wage Theft Bill 2020.

5 **STATEMENTS BY MEMBERS** — Members made statements.

6 **STATEMENTS ON A PARLIAMENTARY COMMITTEE REPORT** — Members made statements on a committee report.

7 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN AND WHITTLESEA PLANNING SCHEME** — Motion made and question — That:

(1) under s 46D(1)(c) of the *Planning and Environment Act 1987*, Amendment 123 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved; and

(2) under s 46AH of the *Planning and Environment Act 1987*, Amendment C203 to the Whittlesea Planning Scheme be ratified

(Mr Wynne) — and, after debate —

Business was interrupted at 11.00 am under sessional orders.

8 **QUESTION TIME** — (Under Sessional Order 9).

9 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN AND WHITTLESEA PLANNING SCHEME** — Debate continued on question — That the motion be agreed to.

Question — put and agreed to.

10 **CONSUMER AND OTHER ACTS MISCELLANEOUS AMENDMENTS BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 1 July 2020.

11 **EDUCATION AND TRAINING REFORM AMENDMENT BILL 2020** — Mr Merlino tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 1 July 2020.

12 **NATIONAL ENERGY LEGISLATION AMENDMENT BILL 2020** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 1 July 2020.

- 13 **JUSTICE LEGISLATION AMENDMENT (DRUG COURT AND OTHER MATTERS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 14 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT ACTIONS DURING THE CORONAVIRUS PANDEMIC** — The Deputy Speaker read Mr Foley’s proposal to the House —

‘That this House thanks the Victorian community and notes the following actions taken by the Government during this unprecedented coronavirus pandemic including:

- (1) Investment for health system preparedness to quickly ensure we have enough equipment, PPE, beds and ventilators to protect Victorian lives;
- (2) Unprecedented support to stimulate the Victorian economy, build the infrastructure Victoria needs, get thousands of people back to work, support businesses and assist affected industries and sectors; and
- (3) Targeted funding to support members and sectors of the Victorian community who need it most.’

Mr Foley addressed the House — Discussion followed.

- 15 **JUSTICE LEGISLATION AMENDMENT (DRUG COURT AND OTHER MATTERS) BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Foley announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.22 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 69 — Thursday 18 June 2020

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Indoor Gymnasium at Epping Views Primary School — Requesting that the Legislative Assembly commits to funding the construction of an indoor gymnasium at Epping Views Primary School, bearing 1193 signatures (*Ms Halfpenny*).

Ordered to be tabled.

- 3 **PETITION — INDOOR GYMNASIUM AT EPPING VIEWS PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Thomastown be taken into consideration tomorrow (*Ms Halfpenny*) — put and agreed to.
- 4 **DOCUMENTS**

INSPECTOR-GENERAL FOR EMERGENCY MANAGEMENT — Hazelwood Mine Fire Inquiry Implementation of Recommendations and Affirmations Report 2019 tabled by leave (*Mr Carroll*).

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Safety on Victoria's Roads — Regional Road Barriers — Ordered to be published

Game Management Authority — Report 2018–19 under s 30L of the *Surveillance Devices Act 1999*

Victoria Police, Chief Commissioner — Report 2018–19 under s 139A of the *Confiscation Act 1997*

Victorian Environmental Assessment Council — Assessment of Victoria’s Coastal Reserves.

5 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 4 August 2020, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date —

(Mr Pakula) — and, after debate —

Amendment proposed — That all the words after ‘rising’, be omitted and replaced with the words ‘adjourns until Tuesday 30 June 2020’ *(Mr O’Brien, Malvern)* — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 16

Anthony Carbines; Steve Dimopoulos; Will Fowles; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Melissa Horne; Sonya Kilkenny; Gary Maas; Martin Pakula; Tim Pallas; Pauline Richards; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward.

NOES 12

Neil Angus; Gary Blackwood; Tim Bull; Ali Cupper; Russell Northe; Michael O’Brien; Tim Read; Richard Riordan; Suzanna Sheed; Ryan Smith; Peter Walsh; Kim Wells.

Question agreed to.

Original question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 16

Anthony Carbines; Steve Dimopoulos; Will Fowles; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Melissa Horne; Sonya Kilkenny; Gary Maas; Martin Pakula; Tim Pallas; Pauline Richards; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward.

NOES 12

Neil Angus; Gary Blackwood; Tim Bull; Ali Cupper; Russell Northe; Michael O'Brien; Tim Read; Richard Riordan; Suzanna Sheed; Ryan Smith; Peter Walsh; Kim Wells.

Question agreed to.

6 **STATEMENTS BY MEMBERS** — Members made statements.

7 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

8 **QUESTION TIME** — (Under Sessional Order 9).

9 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2020** — Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 16 June 2020 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That Government amendment Nos 1 and 2 be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

10 **EDUCATION AND TRAINING REFORM AMENDMENT (REGULATION OF STUDENT ACCOMMODATION) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

11 **JUSTICE LEGISLATION AMENDMENT (DRUG COURT AND OTHER MATTERS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 6 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

Motion made and question — That the sitting be continued (*Mr Carroll*) — put and agreed to.

- 12 **POSTPONEMENT OF BUSINESS** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 4 to 6 inclusive, and General Business, Notices of Motion, Nos 1 to 44 inclusive, be postponed until later this day.

- 13 **REFORMS TO THREE-YEAR-OLD KINDER** — Motion made and question proposed — That this House recognises the rollout of the Andrews Labor Government’s landmark reforms that will see \$5 billion invested over the next decade to deliver a full 15 hours of three-year-old kinder (*Ms Kilkenny*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until after consideration of the message from the Legislative Council on amendments to the Justice Legislation Miscellaneous Amendments Bill 2019.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Miscellaneous Amendments Bill 2019 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 15 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 16 **REFORMS TO THREE-YEAR-OLD KINDER** — Order read for resuming debate on question — That this House recognises the rollout of the Andrews Labor Government’s landmark reforms that will see \$5 billion invested over the next decade to deliver a full 15 hours of three-year-old kinder; debate resumed.

Question — put and agreed to.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Sentencing Amendment (Emergency Worker Harm) Bill 2020 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 18 **SENTENCING AMENDMENT (EMERGENCY WORKER HARM) BILL 2020** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Hennessy*) — put and agreed to.
- 20 **ADJOURNMENT** — After debate, the Speaker left the Chair at 11.03 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 70 and 71

No 70 — Thursday 3 September 2020

- 1 The House met in accordance with the terms of the resolution of 18 June 2020, the Speaker having fixed today at 10.00 am as the time of meeting — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **BEIRUT PORT EXPLOSION AND 75TH ANNIVERSARY OF WORLD WAR II** — The Speaker offered condolences to the people of Lebanon and support for the Lebanese community of Victoria in their time of grief; and noted the 75th anniversary of the end of World War II on 15 August 2020. Members stood in silence to show their support.
- 3 **APPOINTMENT OF OFFICERS OF PARLIAMENT** — The Speaker informed the House that, under s 18 of the *Parliamentary Administration Act 2005*, the Clerk has appointed Dr Vaughn Koops to be Assistant Clerk Committees, and Mr Paul Groenewegen to be Assistant Clerk Procedure and Serjeant-at-Arms, effective 1 July 2020.
- 4 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 19 September 2020:

A revised order of business

- (1) The order of business is:

Thursday

Formal business

Government business

Questions without notice and ministers' statements — 12.00 noon

Government business *continued*

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Matter of public importance *or* grievance debate — 2.00 pm

Government business *continued*

Friday

Formal business

Government business

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Questions without notice and ministers' statements — 2.00 pm

Government business *continued*.

Times of meeting

- (2) Unless otherwise ordered, the House will meet each Thursday and Friday at 10.00 am.

Automatic interruption and no adjournment debates

- (3) The Chair will interrupt business each day at 5.00 pm and SO 32 applies accordingly. There will be no adjournment debate.

Remote participation

- (4) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) members' statements;
 - (iv) statements on parliamentary committee reports;
 - (v) question time — to ask questions only;
 - (vi) grievance debates;
 - (vii) debates of a matter of public importance;
 - (viii) adjournment debates — to raise a matter only —
if they are included in the order business;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;

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- (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it's taken by another member during their speech;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;
 - (vii) chair the debate;
- (e) members participating remotely may circulate amendments to bills under SO 64;
 - (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) re-ordering business; and
 - (i) the Speaker may issue Guidelines about remote participation.

Other business to be published in Hansard

- (5) Members may submit:
 - (a) members' statements;
 - (b) statements on parliamentary committee reports;

(c) constituency questions; and

(d) adjournment matters —

for each sitting day by emailing them to the Clerk by the adjournment of the House.

(6) The Clerk will accept matters up to the number usually given in the House and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.

(7) The House authorises and requires these matters to be published in Hansard at the end of each day's Hansard accordingly:

(a) subject to the Hansard editorial policy; and

(b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Members to incorporate their speeches for bills

(8) If a member wishes to incorporate their speech for any bill on the government business program they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program.

(9) Incorporated speeches will be published in Hansard after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any).

(10) If any matter contains unbecoming expressions, the Speaker may direct that the matter be removed or amended before it is published.

Reduced number of members in the Chamber to assist with physical distancing

(11) Subject to paragraphs (15) and (16), the Chamber will be composed of the Chair and no more than 20 other members, being 12 from the Government, seven from the Opposition and one Greens member.

(12) Except as provided for in paragraphs (15) and (16), if more members than those listed in paragraph (11) vote in a division, the Clerk will not count their vote.

Quorum

(13) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.

(14) If, under paragraph (13) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (11) are suspended until a quorum is formed.

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- (15) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (11) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 24 from the Government, 14 from the Opposition, one Greens member and one independent member for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (16) For questions relating to the passage of bills on the government business program the provisions under paragraph (11) are suspended, divisions will take place as follows:
- (a) members will vote in up to five voting groups;
 - (b) for each voting group:
 - (i) no more than 20 members, in addition to the Chair, will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) all members except the Chair must then leave the Chamber;
 - (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (11), as required;
 - (c) members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote; and
 - (d) at the conclusion of the five voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (17) If a division has taken place, a member not in attendance of the division can register their opinion on the question:
- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'yes' or 'no') on the same day the division took place by no later than one hour after the House adjourns; and
 - (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*.

(Mr Pakula) — after debate, put and agreed to.

- 5 **CLADDING SAFETY VICTORIA BILL 2020** — Ms D'Ambrosio introduced 'A Bill for an Act to establish a body corporate called Cladding Safety Victoria for the purposes of administering a cladding rectification program and to make related amendments to the **Building Act 1993** and the **Public Administration Act 2004** and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 6 **COVID-19 COMMERCIAL AND RESIDENTIAL TENANCIES LEGISLATION AMENDMENT (EXTENSION) BILL 2020** — Ms Horne introduced 'A Bill for an Act to amend the **COVID-19 Omnibus (Emergency Measures) Act 2020** and the **Residential Tenancies Act 1997** and to make consequential amendments to other Acts and for other purposes'; and the Bill was read a first time. In accordance with SO 61(3)(b), the House proceeded immediately to the second reading.

Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (Ms Horne).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (Mr Wells) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 7 **HUMAN TISSUE AMENDMENT BILL 2020** — Mr Foley introduced 'A Bill for an Act to amend the **Human Tissue Act 1982** to establish a process for authorising the carrying out of ante-mortem procedures for the purposes of donating human tissue after death and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 8 **ACTING SPEAKERS** — The Speaker tabled the following warrant:

PANEL OF ACTING SPEAKERS

Under Standing Order 20, I discharge Darren Cheeseman and Matt Fregon from the panel of Acting Speakers.

This warrant amends the previous warrants of 5, 6 and 19 February 2019 and 3 March and 23 April 2020.

Colin Brooks MP
SPEAKER
3 September 2020.

- 9 **DOCUMENTS**

VICTORIAN GOVERNMENT RESPONSE TO REVIEW OF THE FAMILY VIOLENCE INFORMATION SHARING LEGISLATIVE SCHEME — Report tabled by leave (*Mr Foley*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, tabled the Alert Digest No 7 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Consumer and Other Acts Miscellaneous Amendments Bill 2020
Education and Training Reform Amendment Bill 2020
National Energy Legislation Amendment Bill 2020
Wildlife Rescue Victoria Bill 2020
SR No 162/2019 — Commercial Passenger Vehicle Industry (Infringements) Amendment Regulations 2019

together with appendices.

Ordered to be published.

ELECTORAL MATTERS COMMITTEE — Ms Hall tabled a report from the Electoral Matters Committee on the Inquiry into the conduct of the 2018 Victorian state election, together with appendices, a minority report and transcripts of evidence.

Report, appendices and minority report ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Riordan, Deputy Chair, tabled an interim report from the Public Accounts and Estimates Committee on the Inquiry into the Victorian Government's response to the COVID-19 pandemic, together with appendices, an extract from the proceedings, a minority report and transcripts of evidence.

Report, appendices, extract from the proceedings and minority report ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Alpine Resorts (Management) Act 1997 — Alpine Resorts Strategic Plan 2020–2025

Audit Act 1994 — Performance Audit of the Victorian Auditor-General and the Victorian Auditor-General's Office, 31 July 2020

Auditor-General:

Annual Plan 2020–21

Management of the Student Resource Package — Ordered to be published

Rehabilitating Mines — Ordered to be published

Results of 2019 Audits: Technical and Further Education Institutes — Ordered to be published

Results of 2019 Audits: Universities — Ordered to be published

Criminal Organisations Control Act 2012 — Review of Victorian Criminal Organisation Laws — Stage One

Criminal Procedure Act 2009 — Victoria Police Trial of Digitally Recorded Evidence in Chief — Family Violence — Evaluation Report

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Gasworks Park Reserve

Seaford Foreshore Reserve

Orders under s 17D granting leases over:

Gasworks Park Reserve

Merricks Beach Foreshore Reserve

Sandringham Beach Park

Duties Act 2000 — Report 1 January to 30 June 2020 of Foreign Purchaser Additional Duty Exemptions under s 3E

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2020 under s 303

Emergency Management Act 1986 — Report to Parliament on declaration of State of Disaster — Coronavirus (COVID-19) pandemic — Report 1

Family Violence Protection Act 2008 — Review of the Family Violence Information Sharing Legislative Scheme

Financial Management Act 1994 — Explanation from the Assistant Treasurer for the delay of the reports 2019–20 of the:

Accident Compensation Conciliation Service

Adult Multicultural Education Service
Adult, Community and Further Education Board
Agriculture Victoria Services
Albury Wodonga Health
Alexandra District Health
Alfred Health
Alpine Health
Alpine Resorts Co-ordinating Council
Ambulance Victoria
Architects' Registration Board of Victoria
Austin Health
Australian Centre for the Moving Image
Australian Grand Prix Corporation
Bairnsdale Regional Health Service
Ballarat General Cemeteries Trust
Ballarat Health Services
Barwon Health
Barwon Region Water Corporation
Barwon South West Waste and Resource Recovery Group
Bass Coast Health
Beaufort and Skipton Health Service
Beechworth Health Service
Benalla Health
Bendigo Cemeteries Trust
Bendigo Health Care Group
Boort District Health
Casterton Memorial Hospital
Castlemaine Health
Caulfield Racecourse Reserve Trust
CenITex
Central Gippsland Health Service
Central Gippsland Rural Water Corporation
Central Highlands Rural Water Corporation
Cohuna District Hospital
Colac Area Health
Coliban Region Water Corporation
Commercial Passenger Vehicles Victoria
Commissioner for Environmental Sustainability
Corangamite Catchment Management Authority
Corryong Health
Country Fire Authority
Court Services Victoria
Dairy Food Safety Victoria
Dental Health Services Victoria
Development Victoria
Dhelkunya Dja Land Management Board
Djerriwarrh Health Services
East Gippsland Catchment Management Authority

East Gippsland Rural Water Corporation
East Grampians Health Service
East Wimmera Health Service
Echuca Regional Health
Edenhope and District Memorial Hospital
Emerald Tourist Railway Board
Emergency Services Telecommunications Authority
Energy Safe Victoria
Environment Protection Authority
Essential Services Commission
Film Victoria
Game Management Authority
Geelong Cemeteries Trust
Geelong Performing Arts Centre Trust
Gippsland and Southern Rural Water Corporation
Gippsland Southern Health Service
Gippsland Waste and Resource Recovery Group
Glenelg Hopkins Catchment Management Authority
Goulburn Broken Catchment Management Authority
Goulburn Valley Health
Goulburn Valley Rural Water Corporation
Goulburn Valley Waste and Resource Recovery Group
Grampians Central West Waste and Resource Recovery Group
Grampians Wimmera Mallee Water Corporation
Great Ocean Road Health
Greater Metropolitan Cemeteries Trust
Greyhound Racing Victoria
Gunaikurnai Traditional Owner Land Management Board
Harness Racing Victoria
Health Purchasing Victoria
Heathcote Health
Hepburn Health Service
Heritage Council of Victoria
Hesse Rural Health Service
Heywood Rural Health
Independent Broad-based Anti-corruption Commission
Infrastructure Victoria
Inglewood and Districts Health Service
Judicial College of Victoria
Judicial Commission of Victoria
Kardinia Park Stadium Trust
Kerang District Health
Kilmore and District Hospital
Kooweerup Regional Health Service
Kyabram District Health Service
Kyneton District Health Service
Latrobe Regional Hospital
Library Board of Victoria

Loddon Mallee Waste and Resource Recovery Group
Lower Murray Water
Maldon Hospital
Mallee Catchment Management Authority
Mallee Track Health and Community Service
Mansfield District Hospital
Maryborough District Health Service
Melbourne and Olympic Parks Trust
Melbourne Convention and Exhibition Trust
Melbourne Market Authority
Metropolitan Fire and Emergency Services Board
Metropolitan Waste and Resource Recovery Group
Mildura Cemetery Trust
Moyne Health Services
Murray Valley Wine Grape Industry Development Committee
Museums Board of Victoria
Nathalia Cobram and Numurkah Health
North Central Catchment Management Authority
North East Catchment Management Authority
North East Region Water Corporation
North East Waste and Resource Recovery Group
Northeast Health Wangaratta
Northern Health
Omeo District Health
Orbost Regional Health
Parks Victoria
Peninsula Health
Peter MacCallum Cancer Centre
Phillip Island Nature Park
Port of Hastings Development Authority
Port Phillip and Westernport Catchment Management Authority
Portable Long Service Benefits Authority
Portland District Health
PrimeSafe
Professional Standards Council of Victoria
Public Prosecutions, Office of
Queen Elizabeth Centre
Queen Victoria Women's Centre Trust
Residential Tenancies Bond Authority
Roads Corporation
Robinvale District Health Services
Rochester and Elmore District Health Service
Royal Botanic Gardens Board
Royal Victorian Eye and Ear Hospital
Royal Women's Hospital
Rural Northwest Health
Sentencing Advisory Council
Seymour Health

Shrine of Remembrance Trustees
South Gippsland Hospital
South Gippsland Rural Water Corporation
South West Healthcare
Southern Metropolitan Cemeteries Trust
State Electricity Commission
State Sport Centres Trust
Stawell Regional Health
Supreme Court, Senior Master of the
Surveyors Registration Board of Victoria
Sustainability Victoria
Swan Hill District Health
Tallangatta Health Service
Terang and Mortlake Health Service
Timboon and District Healthcare Service
Trust for Nature (Victoria)
Tweddle Child and Family Health Service
V/Line Corporation
Veterinary Practitioners Registration Board of Victoria
VicForests
Victoria Legal Aid
Victoria State Emergency Service Authority
Victorian Arts Centre Trust
Victorian Assisted Reproductive Treatment Authority
Victorian Building Authority
Victorian Curriculum and Assessment Authority
Victorian Electoral Commission
Victorian Environmental Water Holder
Victorian Equal Opportunity and Human Rights Commission
Victorian Fisheries Authority
Victorian Funds Management Corporation
Victorian Health Promotion Foundation
Victorian Inspectorate
Victorian Institute of Forensic Medicine
Victorian Institute of Forensic Mental Health
Victorian Institute of Sport Trust
Victorian Institute of Teaching
Victorian Interpreting and Translating Service
Victorian Law Reform Commission
Victorian Legal Services Board
Victorian Legal Services Commissioner
Victorian Ombudsman
Victorian Pharmacy Authority
Victorian Planning Authority
Victorian Plantations Corporation
Victorian Ports Corporation (Melbourne)
Victorian Public Sector Commission
Victorian Regional Channels Authority

Victorian Registration and Qualifications Authority
 Victorian Responsible Gambling Foundation
 Victorian Strawberry Industry Development Committee
 Visit Victoria
 Wannon Water
 West Gippsland Catchment Management Authority
 West Gippsland Healthcare Group
 West Wimmera Health Service
 Western District Health Service
 Western Health
 Western Region Water Corporation
 Westernport Rural Water Corporation
 Wimmera Catchment Management Authority
 Wimmera Health Care Group
 Yarram and District Health Service
 Yarrawonga Health
 Yea and District Memorial Hospital
 Yorta Yorta Traditional Owner Land Management Board
 Zoological Parks and Gardens Board

Independent Broad-based Anti-corruption Commission — Operation Gloucester: An investigation into improper evidentiary and disclosure practices in relation to the Victoria Police investigation of the murders of Sergeant Gary Silk and Senior Constable Rodney Miller — Ordered to be published

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

RCBO Prohibition Notice 2020 (*Gazette G33, 20 August 2020*)
 Statutory Rule 50 (*Gazette S420, 18 August 2020*)

Judicial Entitlements Panel — Own Motion Recommendations to the Attorney-General, May 2020

Melbourne Cricket Ground Trust — Report year ended 31 March 2020

Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020:

Conservation Areas Declaration
 Levy Area Declaration

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by Members of the Legislative Assembly — Ordinary Returns 28 July 2020 (two volumes) — Ordered to be published

Ombudsman:

Investigation into the planning and delivery of the Western Highway duplication project — Ordered to be published

Ombudsman's recommendations: third report — Ordered to be published

Parliamentary Budget Officer — Operational Plan 2020–21

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2019–20 Budget Estimates

Parliamentary Salaries, Allowances and Superannuation Act 1968 — Report on distribution from the Assembly Suspension Fines Fund 2019–20

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C162, C179

Boroondara — C327

Campaspe — GC160

Cardinia — C235, C263

Casey — GC150, GC170

Colac Otway — C103, C108, GC170

Corangamite — C53

Darebin — C190

Gannawarra — GC160

Glen Eira — C213, C215, C216

Golden Plains — C90

Greater Bendigo — C250, GC160, GC170

Greater Dandenong — C223, C225

Greater Geelong — C372, C415, C416, GC104

Greater Shepparton — GC160

Hume — GC150

Indigo — C76

Kingston — C196

Latrobe — C114, C115, C119

Loddon — GC160

Macedon Ranges — C138

Maroondah — C128

Melbourne — C258, C389

Melton — C221, GC150

Mildura — C110

Mitchell — GC150

Moira — GC160

Moreland — C209

Mornington Peninsula — C276

Nillumbik — C125

Port Phillip — C142, C160, C163, C168, C172, C191

Pyrenees — GC170

South Gippsland — C115, C116

Southern Grampians — C59

Stonnington — C305, C306

Surf Coast — GC104
Swan Hill — GC160
Victoria Planning Provisions — VC176, VC186
Warrnambool — C103
Whitehorse — C216, C219, C226
Whittlesea — C127, C203, C213 Part 1, C228, C243, C248, GC150
Wyndham — GC150
Yarra Ranges — C183, C194

Public Accounts and Estimates Committee — Report on the Inquiry into the 2017–18 and 2018–19 financial and performance outcomes — Ordered to be published

Public Health and Wellbeing Act 2008:

Amendment of declaration under s 126 (*Gazette G33, 20 August 2020*)
Declaration under s 126 (*Gazette G30, 30 July 2020*)
Report to Parliament on the Extensions of the Declaration of a State of Emergency

Radiation Advisory Committee — Report 2019–20

Rail Safety National Law Application Act 2013 — Rail Safety National Law National Regulations (Fees and Other Measures) Variation Regulations 2020

Statutory Rules under the following Acts:

Assisted Reproductive Treatment Act 2008 — SR 64
Building Act 1993 — SR 83
Cemeteries and Crematoria Act 2003 — SR 71
Children, Youth and Families Act 2005 — SR 85
City of Melbourne Act 2001 — SR 72
Commercial Passenger Vehicle Industry Act 2017 — SR 65
Criminal Procedure Act 2009 — SR 85
Disability Act 2006 — SRs 59, 60
Domestic Animals Act 1994 — SR 52
Drugs, Poisons and Controlled Substances Act 1981 — SR 73
Education and Training Reform Act 2006 — SR 81
Electricity Safety Act 1998 — SR 50
Electronic Transactions (Victoria) Act 2000 — SR 70
Environment Protection Act 1970 — SR 62
Fire Rescue Victoria Act 1958 — SRs 68, 69
Fisheries Act 1995 — SR 51
Health Services Act 1988 — SR 77
Libraries Act 1988 — SR 87
Local Government Act 2020 — SR 72
Magistrates' Court Act 1989 — SR 80
Marine Safety Act 2010 — SR 63
Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020 — SR 61
Mental Health Act 2014 — SR 82

Mineral Resources (Sustainable Development) Act 1990 — SRs 55, 56
Occupational Health and Safety Act 2004 — SRs 78, 84
Public Health and Wellbeing Act 2008 — SRs 76, 79, 86
Sex Work Act 1994 — SR 49
Supreme Court Act 1986 — SRs 53, 57
Tobacco Act 1987 — SR 54
Victims of Crime Assistance Act 1996 — SR 88
Victims of Crime Commissioner Act 2015 — SR 66
Victorian Civil and Administrative Tribunal Act 1998 — SR 58
Water Act 1989 — SRs 67, 74, 75

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 31, 42, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 84, 85, 86, 87, 88

Documents under s 16B in relation to:

Building Act 1993 — Code of Conduct for Building Surveyors

Conveyancers Act 2006 — Conveyancers Professional Indemnity Insurance Order

Education and Training Reform Act 2006:

Ministerial Order No 1291 — Order Amending Ministerial Order No 615 — Amendment to Order Fixing of Fees Administered by the Victorian Registration and Qualifications Authority

Ministerial Order No 1292 — Order Amending Ministerial Order No 1228 — Fixing of fees charged by the Victorian Institute of Teaching 2019–20

Ministerial Order No 1294 — Order Amending Ministerial Order No 1228 — Fixing of fees charged by the Victorian Institute of Teaching 2019–20

Electricity Safety Act 1998 — RCBO Prohibition Notice 2020

Health Complaints Act 2016 — Complaints Handling Standards 2020

Local Government Act 2020:

Alteration of Electoral Structure of Bayside City Council

Alteration of Electoral Structure of Boroondara City Council

Alteration of Electoral Structure of Cardinia Shire Council

Alteration of Electoral Structure of Darebin City Council

Alteration of Electoral Structure of Greater Dandenong City Council

Alteration of Electoral Structure of Kingston City Council

Alteration of Electoral Structure of Manningham City Council

Alteration of Electoral Structure of Maroondah City Council

Alteration of Electoral Structure of Mitchell Shire Council

Alteration of Electoral Structure of Murrindindi Shire Council

Alteration of Electoral Structure of Whitehorse City Council

Meat Industry Act 1993 — PrimeSafe Determination of licence category and fees for vehicle-based meat processing facilities

Surveyor-General — Report 2019–20 on the administration of the *Survey Co-ordination Act 1958*

Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 — Members of Parliament (Victoria) Annual Adjustment Determination 2020

Victorian Information Commissioner, Office of — Public Interest Determination under the *Privacy and Data Protection Act 2014*

Victorian Inspectorate — Inspection Report March 2020 under the *Terrorism (Community Protection) Act 2003*

Victorian Law Reform Commission — Contempt of Court — Ordered to be published

Voluntary Assisted Dying Review Board — Report of operations January to June 2020

Wrongs Act 1958 — Notice of scale of fees and costs for referrals of medical questions to medical panels under Part VBA (*Gazette S318, 30 June 2020*).

DOCUMENTS TABLED UNDER STANDING ORDERS — Under the standing orders the Clerk tabled the following documents:

Economy and Infrastructure Standing Committee — Report on the Inquiry into sustainable employment for disadvantaged jobseekers, together with appendices and transcripts of evidence — Report and appendices published by authority of the Assembly under SO 224(3)

Proclamations fixing operative dates:

Assisted Reproductive Treatment Amendment Act 2020 — Whole Act — 8 July 2020 (*Gazette S323, 30 June 2020*)

Building and Environment Protection Legislation Amendment Act 2020 — Part 2, ss 19, 22, 24, 25, 26, 27, 28, 29, 30, 36, 39, 41 and Part 5 — 28 July 2020 (*Gazette S375, 28 July 2020*)

Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 — Remaining provisions — 1 July 2020 (*Gazette S328, 30 June 2020*)

Police Legislation Amendment (Road Safety Camera Commissioner and Other Matters) Act 2019 — Part 2 — 1 July 2020 (*Gazette S323, 30 June 2020*).

DOCUMENT TABLED UNDER A RESOLUTION OF THE HOUSE — The Clerk tabled the following document:

Parliamentary Integrity Adviser — Report 2019–20.

10 **MESSAGE FROM THE GOVERNOR — SENATE VACANCY** — Transmitting a despatch from the President of the Senate notifying that a vacancy had happened in the representation of the State of Victoria in the Senate of the Commonwealth of Australia through the resignation of Senator Richard Di Natale on 26 August 2020.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL — SENATE VACANCY** — Proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Richard Di Natale and that the place and time of such meeting be the Assembly Chamber on Friday 4 September 2020 at 3.00 pm.

Ordered — That the message be taken into consideration immediately.

- 12 **JOINT SITTING — SENATE VACANCY** — Motion made and question — That this House agrees to the Legislative Council’s proposal for a joint sitting on Friday 4 September at 3.00 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Richard Di Natale (*Mr Pakula*) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them accordingly.

- 13 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION AND OTHER MATTERS) BILL 2020** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, ‘*A Bill for an Act to amend the **Public Health and Wellbeing Act 2008** in relation to certain matters relating to the COVID-19 pandemic, and for other purposes*’.

On the motion of Mr Pakula, the Bill was read a first time. In accordance with SO 61(3)(b), the House proceeded immediately to the second reading.

Mr Pakula tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O’Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 23 June 2020

Great Ocean Road and Environs Protection Bill 2019

Petroleum Legislation Amendment Bill 2020

Wage Theft Bill 2020

On 30 June 2020

Justice Legislation Miscellaneous Amendments Bill 2019

Sentencing Amendment (Emergency Worker Harm) Bill 2020.

- 15 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Consumer and Other Acts Miscellaneous Amendments Bill 2020

COVID-19 Commercial and Residential Tenancies Legislation Amendment (Extension) Bill 2020.

16 **STANDING ORDERS COMMITTEE** — Motion made, by leave, and question — That Ms Halfpenny and Mr Staikos be discharged from the Standing Orders Committee and that Mr Cheeseman and Mr Fregon be members in their place (*Mr Pakula*) — put and agreed to.

17 **LEGAL AND SOCIAL ISSUES STANDING COMMITTEE** — Motion made, by leave, and question — That the reporting dates for the Legal and Social Issues Standing Committee be amended as follows:

(1) the inquiry into early childhood engagement of culturally and linguistically diverse communities, to no later than 17 September 2020; and

(2) the inquiry into anti-vilification protections, to no later than 1 March 2021

(*Mr Pakula*) — put and agreed to.

18 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Friday 4 September 2020:

COVID-19 Commercial and Residential Tenancies Legislation Amendment (Extension) Bill 2020
Public Health and Wellbeing Amendment (State of Emergency Extension and Other Matters) Bill 2020

(*Mr Pakula*) — after debate, put and agreed to.

19 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION AND OTHER MATTERS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr O'Brien (*Malvern*) announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 12.00 noon under the resolution of the House today.

20 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

21 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION AND OTHER MATTERS) BILL 2020** — Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under the resolution of the House today.

22 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT RESPONSE TO COVID-19 PANDEMIC** — The Speaker read Mr O'Brien's (*Malvern*) proposal to the House — 'That this House thanks all Victorians for the sacrifices they have made to contribute to

bringing the COVID-19 pandemic under control, and expresses deep concern about important aspects of the Andrews Labor Government's pandemic response including:

- (1) the poorly resourced public health team at the Department of Health and Human Services which has had a disastrous effect on Victoria's contact tracing system including slow early COVID-19 testing and bungled testing blitzes;
- (2) a bungled hotel quarantine program including the inexplicable decision to use private security guards instead of Australian Defence Force personnel in quarantine hotels;
- (3) the mismanagement of the outbreak at Cedar Meats and other clusters;
- (4) the knee-jerk North Melbourne public housing lockdown and lack of support for tenants confined to their homes;
- (5) large numbers of infections amongst healthcare workers; and
- (6) mixed messaging for the public including on mass protests, social distancing rules, the need to self-isolate after getting a COVID-19 test and visits to maternity wards.'

Mr O'Brien (*Malvern*) addressed the House — Discussion followed.

- 23 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION AND OTHER MATTERS) BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Mr Northe announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 5.00 pm under the resolution of the House today.

- 24 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 5.00 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 71 — Friday 4 September 2020

1 The House met in accordance with the terms of the resolution of 3 September 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Support for the Native Timber Industry — Requesting that the Legislative Assembly supports Victoria's native timber industry, bearing 60 signatures (*Mr Bull, Gippsland East*)

Public Housing in Eastwood — Requesting that the Legislative Assembly finds more suitable locations for public housing developments in Eastwood, bearing 214 signatures (*Mr Bull, Gippsland East*)

Increased Police Resources for Echuca — Requesting that the Legislative Assembly increases police resources in Echuca to support community safety, bearing 220 signatures (*Mr Walsh*).

Petitions ordered to be tabled.

3 **PETITION — INCREASED POLICE RESOURCES FOR ECHUCA** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.

4 **PETITION — SUPPORT FOR THE NATIVE TIMBER INDUSTRY** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.

5 **PETITION — PUBLIC HOUSING IN EASTWOOD** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.

6 **SITTING OF THE HOUSE** — Motion made and question — That:

(1) The House, at its rising, adjourns until Thursday 17 September 2020, or an earlier day and hour to be fixed by the Speaker.

(2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.

(3) The Speaker will notify members of any changes to the next sitting date

(*Mr Pakula*) — put and agreed to.

- 7 **CLADDING SAFETY VICTORIA BILL 2020** — Ms D’Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D’Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Friday 18 September 2020.

- 8 **HUMAN TISSUE AMENDMENT BILL 2020** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Friday 18 September 2020.

- 9 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION AND OTHER MATTERS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under the resolution of the House on Thursday 3 September 2020.

10 **QUESTIONS WITHOUT NOTICE AND MINISTERS’ STATEMENTS**

- 11 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION AND OTHER MATTERS) BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **COVID-19 COMMERCIAL AND RESIDENTIAL TENANCIES LEGISLATION AMENDMENT (EXTENSION) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

[Business was interrupted at 3.00 pm for a joint sitting and resumed at 3.03 pm]

Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Thursday 3 September 2020 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION AND OTHER MATTERS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 33

Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Sarah Connolly; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Matt Fregon; Danielle Green; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Ellen Sandell; Robin Scott; Nick Staikos; Jackson Taylor; Kat Theophanous; Vicki Ward.

NOES 23

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Darren Cheeseman Christine Couzens; Jordan Crugnale; Maree Edwards; John Eren; Will Fowles; Bronwyn Halfpenny; Marlene Kairouz; John Kennedy; Stephen McGhie; Lisa Neville; Pauline Richards; Tim Richardson; Michaela Settle; Suzanna Sheed; Ros Spence; Natalie Suleyman; Meng Heang Tak; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES

Ali Cupper; Russell Northe; Steph Ryan.

Message sent to the Legislative Council informing them accordingly.

Business was interrupted at 5.18 pm under the resolution of the House on Thursday 3 September 2020.

- 14 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 5.18 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

VOTES AND PROCEEDINGS

Nos 72 and 73

No 72 — Thursday 17 September 2020

- 1 The House met in accordance with the adjournment and the terms of the resolution of 3 September 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **JOINT SITTING — SENATE VACANCY** — The Speaker reported that the House met on 4 September 2020 with the Legislative Council for the purpose of choosing a person to hold the place in the Senate rendered vacant by the resignation of Senator Richard Di Natale and that Lidia Thorpe was duly chosen to hold the vacant place.
- 3 **WORKER SCREENING BILL 2020** — Ms Hennessy introduced ‘*A Bill for an Act to provide for the screening of persons working with or caring for children or providing supports or services to persons with a disability under the National Disability Insurance Scheme, to repeal the **Working with Children Act 2005** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **COVID-19 OMNIBUS (EMERGENCY MEASURES) AND OTHER ACTS AMENDMENT BILL 2020** — Ms Hennessy introduced ‘*A Bill for an Act to amend the **COVID-19 Omnibus (Emergency Measures) Act 2020** and other Acts to extend the operation of temporary modifications to the law of Victoria enacted for the purpose of responding to the COVID-19 pandemic and to provide for new temporary modifications to the law of Victoria for the purpose of responding to, and relating to, the COVID-19 pandemic and for other purposes*’; and the Bill was read a first time. In accordance with SO 61(3)(b), the House proceeded immediately to the second reading.

Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O’Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 5 **CONSUMER LEGISLATION AMENDMENT BILL 2020** — Ms Horne introduced ‘*A Bill for an Act to make amendments to the **Residential Tenancies Amendment Act 2018** and the **Retirement Villages Act 1986** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny tabled the Alert Digest No 8 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Cladding Safety Victoria Bill 2020

COVID-19 Commercial and Residential Tenancies Legislation Amendment (Extension) Bill 2020

Education and Training Reform Amendment (School Employment) Bill 2020

Human Tissue Amendment Bill 2020

Public Health and Wellbeing Amendment (State of Emergency Extension and Other Matters) Act 2020

State Taxation Acts Amendment (Relief Measures) Act 2020

Victorian Law Reform Commission Amendment Bill 2020

together with appendices.

Ordered to be published.

LEGAL AND SOCIAL ISSUES STANDING COMMITTEE — Ms Suleyman, Chair, tabled a report from the Legal and Social Issues Standing Committee on the Inquiry into early childhood engagement of culturally and linguistically diverse communities, together with appendices and transcripts of evidence.

Report and appendices ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Advancing the Treaty Process with Aboriginal Victorians Act 2018:

Advancing the Victorian Treaty Process — Report 2019–20

First Peoples’ Assembly of Victoria — Report period ended 31 August 2020

Auditor-General — Victoria’s Homelessness Response — Ordered to be published

Emergency Management Act 1986 — Report to Parliament on declaration of State of Disaster — Coronavirus (COVID-19) pandemic — Report 2

Improving Cancer Outcomes Act 2014 — Victorian cancer plan 2020–24: Improving cancer outcomes for all Victorians

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 48 (*Gazette G31, 6 August 2020*)

National Parks Act 1975 — Consent to LV Blue Metal Proprietary Limited to conduct operations within Tyers Park to search for stone

Ombudsman — Investigation into review of parking fines by the City of Melbourne — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C211
Banyule — GC158
Bass Coast — C153
Baw Baw — C141
Campaspe — C111
Cardinia — GC158
Casey — C207 Part 2, C265
Central Goldfields — C32
Frankston — GC158
Glen Eira — C205
Golden Plains — C89
Greater Geelong — C394
Greater Shepparton — C221, GC135
Hepburn — C79
Hume — GC135, GC158
Latrobe — C92
Macedon Ranges — C132
Manningham — GC158
Maroondah — C138
Melbourne — C369, C372, C397
Mitchell — GC135, GC171
Moonee Valley — C193, C210
Moorabool — C86
Mornington Peninsula — GC158
Moyne — GC171
Nillumbik — GC158
Port Phillip — C176
Pyrenees — GC171
Stonnington — C309
Strathbogie — GC135
Whittlesea — C233, GC135, GC158
Wyndham — C219, C239
Yarra — C220, C283
Yarra Ranges — GC171

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of a State of Emergency

Statutory Rules under the following Acts:

Administration and Probate Act 1958 — SR 89

City of Melbourne Act 2001 — SR 92

Gambling Regulation Act 2003 — SR 90

Local Government Act 2020 — SR 92

Long Service Benefits Portability Act 2018 — SR 91

Supreme Court Act 1986 — SR 89

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 83, 89, 91, 92

Victorian Law Reform Commission — Committals — Ordered to be published.

PROCLAMATION — Under Standing Order 177A, the Clerk tabled the following proclamation fixing an operative date:

Justice Legislation Amendment (Police and Other Matters) Act 2019 — Sections 50 and 51 — 16 September 2020 (*Gazette S465, 15 September 2020*).

- 7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

COVID-19 Commercial and Residential Tenancies Legislation Amendment (Extension) Bill 2020
Retail Leases Amendment Bill 2019.

- 8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 8 September 2020, given the royal assent to the Public Health and Wellbeing Amendment (State of Emergency Extension and Other Matters) Bill 2020, presented to her by the Clerk of the Parliaments.

- 9 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Cladding Safety Victoria Bill 2020

COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Bill 2020.

- 10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Friday 18 September 2020:

COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Bill 2020

National Energy Legislation Amendment Bill 2020

Police and Emergency Legislation Amendment Bill 2020

(*Mr Pakula*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 12

Chris Brayne; Josh Bull; Anthony Carbines; Steve Dimopoulos; Paul Edbrooke; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Sonya Kilkenny; Martin Pakula.

NOES 8

Cindy McLeish; Danny O’Brien; Michael O’Brien; Tim Read; Brad Rowswell; Ryan Smith; David Southwick; Peter Walsh.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES

Sam Hibbins; David Morris; James Newbury; Russell Northe; Suzanna Sheed; Louise Staley.

- 11 **NATIONAL ENERGY LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 12.00 noon under the resolution of the House on Thursday 3 September 2020.

- 12 **QUESTIONS WITHOUT NOTICE AND MINISTERS’ STATEMENTS**

- 13 **NATIONAL ENERGY LEGISLATION AMENDMENT BILL 2020** — Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under the resolution of the House on Thursday 3 September 2020.

- 14 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 15 **NATIONAL ENERGY LEGISLATION AMENDMENT BILL 2020** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **POLICE AND EMERGENCY LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Southwick announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 5.00 pm under the resolution of the House on Thursday 3 September 2020.

- 17 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 5.00 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 73 — Friday 18 September 2020

- 1 The House met in accordance with the terms of the resolution of 3 September 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS**

GOVERNMENT RESPONSE TO THE COMMUNITY VISITORS REPORT 2018–19 — Report tabled by leave (*Mr Donnellan*).

INSPECTOR-GENERAL FOR EMERGENCY MANAGEMENT — Inquiry into the 2019–20 Victorian fire season: Phase 1 — Community and sector preparedness for and response to the 2019–20 fire season tabled by leave (*Mr Pakula on behalf of Ms Neville*).

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following documents under an Act of Parliament:

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C216 Part 2

Cardinia — C241
Corangamite — C52
Greater Dandenong — C226
Greater Geelong — C420
Moreland — C206
Mount Alexander — C93.

3 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 13 October 2020, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(Mr Pakula) — after debate, put and agreed to.

4 **WORKER SCREENING BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time *(Ms Hennessy)*.

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned *(Mr Wells)* — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Friday 2 October 2020.

5 **CONSUMER LEGISLATION AMENDMENT BILL 2020** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time *(Ms Horne)*.

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned *(Mr Wells)* — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Friday 2 October 2020.

- 6 **COVID-19 OMNIBUS (EMERGENCY MEASURES) AND OTHER ACTS AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Dr Read announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under the resolution of the House on Thursday 3 September 2020.

7 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

- 8 **COVID-19 OMNIBUS (EMERGENCY MEASURES) AND OTHER ACTS AMENDMENT BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 9 **NATIONAL ENERGY LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **POLICE AND EMERGENCY LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Thursday 17 September 2020 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 30

Chris Brayne; Roma Britnell; Anthony Carbines; Ben Carroll; Sarah Connolly; Lily D'Ambrosio; Martin Foley; Katie Hall; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; Cindy McLeish; James Merlino; Michael O'Brien; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Brad Rowswell; Ryan Smith; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Kat Theophanous; Peter Walsh; Kim Wells; Gabrielle Williams.

NOES 3

Sam Hibbins; Tim Read; Ellen Sandell.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Matt Fregon; Danielle Green; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Stephen McGhie; Lisa Neville; Russell Northe; Tim Richardson; Robin Scott; Suzanna Sheed; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES

Ali Cupper.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **COVID-19 OMNIBUS (EMERGENCY MEASURES) AND OTHER ACTS AMENDMENT BILL 2020**
— Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 39

Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Sarah Connolly; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams.

NOES 21

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Matthew Guy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Ali Cupper; Maree Edwards; John Eren; Danielle Green; Stephen McGhie; Lisa Neville; Tim Richardson; Robin Scott; Suzanna Sheed; Mary-Anne Thomas; Richard Wynne.

NOES

Russell Northe; Steph Ryan.

Bill sent to the Legislative Council and their agreement requested.

- 12 **NATIONAL ENERGY LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.28 pm under the resolution of the House on Thursday 3 September 2020.

- 13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 5.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 74, 75 and 76

No 74 — Tuesday 13 October 2020

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 16 October 2020:

A revised order of business

- (1) The order of business is:

Wednesday

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Question time — 1.00 pm

Lunch break and cleaning in the Chamber — 2.00 pm to 3.00 pm

Matter of public importance *or* grievance debate — 3.00 pm

Government business *continued*

Thursday

Formal business

Statements by members

Government business

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Question time — 2.00 pm

Government business *continued*

General business.

- (2) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Times of meeting

- (3) Unless otherwise ordered, the House will meet on Wednesday at 10.00 am and Thursday at 9.30 am.
- (4) The Speaker will interrupt business under Sessional Order 2 for the adjournment at 7.00 pm on Tuesday, 7.30 pm on Wednesday and 5.00 pm on Thursday.

Remote participation

- (5) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) members' statements;
 - (iv) statements on parliamentary committee reports;
 - (v) question time — to ask questions only;
 - (vi) grievance debates;
 - (vii) debates on a matter of public importance;
 - (viii) adjournment debates — to raise a matter only —
if they are included in the order of business;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);

-
- (vi) interject;
 - (vii) chair the debate;
 - (e) members participating remotely may circulate amendments to bills under SO 64;
 - (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
 - (i) the Speaker may issue Guidelines about remote participation.

Other business to be published in Hansard

- (6) Members who are not in attendance on the parliamentary precinct for a sitting day may submit:
 - (a) members' statements;
 - (b) statements on parliamentary committee reports;
 - (c) constituency questions; and
 - (d) adjournment matters —

for that day by emailing them to the Clerk by the adjournment of the House.

- (7) The Clerk will accept matters up to the number usually given in the House minus any matters verbally given in the House each day, and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (8) The House authorises and requires these matters to be published in Hansard at the point in the proceedings/order of business that the item would have occurred and after any contributions (if any) that have been given in the House:
 - (a) subject to the Hansard editorial policy; and
 - (b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Members to incorporate their speeches for bills and motions

- (9) If a member is not in attendance on the parliamentary precinct for a sitting day and they wish to incorporate their speech —
 - (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for any substantive motion considered by the House that day, they must email their speech to the Clerk by the adjournment of the House.
- (10) Incorporated speeches will be published in Hansard —
 - (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any);
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any).
- (11) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Reduced number of members in the Chamber to assist with physical distancing

- (12) Subject to paragraphs (16) and (17), the Chamber will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members.
- (13) Except as provided for in paragraphs (16) and (17), if more members than those listed in paragraph (12) vote in a division, the Clerk will not count their vote.

Quorum

- (14) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (15) If, under paragraph (14) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (12) are suspended until a quorum is formed.
- (16) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (12) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (17) For questions relating to the passage of bills on the government business program, and the question 'That the Premier and the other Ministers of State for the State of Victoria no longer possess the confidence of this House', the provisions under paragraph (12) are suspended and divisions will take place as follows:
- (a) members will vote in up to four voting groups;
 - (b) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;

- (v) subject to subparagraph (d), all members except the Chair must then leave the Chamber;
- (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (12), as required;
- (c) subject to subparagraph (d), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
- (d) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
- (e) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (18) If a division has taken place, a member not in attendance for the division can register their opinion on the question:
- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') on the same day the division took place by no later than one hour after the House adjourns; and
 - (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*

(Ms Allan) — put and agreed to.

3 **QUESTION TIME** — (Under Sessional Order 9).

4 **JUSTICE LEGISLATION AMENDMENT (SUPPORTING VICTIMS AND OTHER MATTERS) BILL 2020** — Ms Hennessy introduced 'A Bill for an Act to amend the *Judicial Proceedings Reports Act 1958* in relation to publication of identification of victims, to amend the *Victims of Crime Assistance Act 1996* in relation to delegation of certain powers, to amend the *Victims of Crime Commissioner Act 2015* in relation to the Committee under that Act, to amend the *Defamation Act 2005* and the *Limitation of Actions Act 1958* to include further model provisions, to amend the *Corrections Act 1986* in relation to certain detention orders and prisoner mail, to amend the *Forests Act 1958* to enable specified persons to carry out specified activities in the Fire Rescue Victoria fire district, to amend the *Workplace Injury Rehabilitation and Compensation Act 2013* and the *Accident Compensation Act 1985* in relation to pre-injury average weekly earnings and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 5 **MARINE SAFETY AMENDMENT (BETTER BOATING FUND) BILL 2020** — Ms Horne introduced ‘A Bill for an Act to amend the *Marine Safety Act 2010* to provide for the establishment of the Better Boating Fund and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny tabled the Alert Digest No 9 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Consumer Legislation Amendment Bill 2020

COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Bill 2020

Parliamentary Committees Amendment (SARC Protection Against Rights Curtailment by Urgent Bills) Bill 2020

Worker Screening Bill 2020

SR No 24 — Victoria Police Amendment Regulations 2020

Notices under section 3.6.5A of the *Gambling Regulation Act 2003* fixing the value of the supervision charge for venue operators for 2018–19

together with appendices and a minority report.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Alexandra Gardens Reserve

Domain Parklands Reserve

Orders under s 17D granting leases over:

Lakeside Stadium Reserve

Royal Park Reserve

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 83 (*Gazette G39, 1 October 2020*)

Ombudsman — Investigation into corporate credit card misuse at Warrnambool City Council — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C126

Boroondara — C321

Casey — C277

Macedon Ranges — C134

Maroondah — C143
 Melbourne — C368, C386
 Moonee Valley — C214
 Moreland — C174 Part 1
 Moyne — C66
 Stonnington — C310
 Victoria Planning Provisions — VC169, VC183
 Warrnambool — C206
 Yarra — C231 Part 1, C231 Part 3, C284, C285

Statutory Rules under the following Acts:

Building Act 1993 — SR 101
Bus Safety Act 2009 — SR 102
City of Melbourne Act 2001 — SR 100
COVID-19 Omnibus (Emergency Measures) Act 2020 — SR 107
Gender Equality Act 2020 — SR 97
Local Government Act 2020 — SR 100
Magistrates' Court Act 1989 — SR 94
Occupational Health and Safety Act 2004 — SR 106
Port Management Act 1995 — SR 108
Public Health and Wellbeing Act 2008 — SRs 93, 99
Residential Tenancies Act 1997 — SR 95
Road Safety Act 1986 — SRs 96, 105
Supreme Court Act 1986 — SR 98
Transport (Compliance and Miscellaneous) Act 1983 — SRs 103, 109
Transport (Safety Schemes Compliance and Enforcement) Act 2014 — SR 104

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 90, 94, 96, 98, 100, 102, 103, 104, 105, 107, 108, 109

Documents under s 16B in relation to the Gambling Regulations 2015 — Instrument specifying content of training requirements

Victorian Government Purchasing Board — Report 2019–20

Victorian Local Government Grants Commission — Allocation Report year ended 31 August 2020.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

COVID-19 Commercial and Residential Tenancies Legislation Amendment (Extension) Act 2020 — Division 1 of Part 2 — 29 September 2020 (*Gazette S494, 29 September 2020*)
Emergency Management Legislation Amendment Act 2018 — Parts 3 and 4 — 30 September 2020 (*Gazette S494, 29 September 2020*)

Petroleum Legislation Amendment Act 2020 — Section 28 — 6 October 2020 (Gazette S504, 6 October 2020).

- 7 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 22 September 2020, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

COVID-19 Commercial and Residential Tenancies Legislation Amendment (Extension) Bill 2020
Retail Leases Amendment Bill 2019.

- 8 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Worker Screening Bill 2020.

- 9 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Speaker announced that he had received a letter from the Governor advising that she had, on 26 September 2020, received the resignation of the Hon Jenny Mikakos from the Legislative Council.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — Proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Council rendered vacant by the resignation of the Hon Jenny Mikakos and that the place and time of such meeting be the Assembly Chamber today at 1.30 pm.

Ordered — That the message be taken into consideration immediately.

- 11 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — Motion made and question — That this House agrees to the Council's proposal for a joint sitting today at 1.30 pm in the Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Council rendered vacant by the resignation of the Hon Jenny Mikakos (*Ms Allan*) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them accordingly.

- 12 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** — The Speaker announced that he had received the resignation of Ms Taylor MLC from the Scrutiny of Acts and Regulations Committee, effective from today.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 15 October 2020:

Cladding Safety Victoria Bill 2020
Consumer Legislation Amendment Bill 2020
Worker Screening Bill 2020

(*Ms Allan*) — after debate, put and agreed to.

- 14 **STATEMENTS BY MEMBERS** — Members made statements.

[Business was interrupted at 1.30 pm for a joint sitting and resumed at 1.36 pm]

Members made further statements.

- 15 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met today with the Council for the purpose of choosing a person to hold the seat in the Council rendered vacant by the resignation of the Hon Jenny Mikakos and that Sheena Watt was duly chosen to hold the vacant place.
- 16 **NO CONFIDENCE MOTION** — Motion made and question — That the Premier and the other Ministers of State for the State of Victoria no longer possess the confidence of this House (*Mr O'Brien, Malvern*) — and, after debate

Business was interrupted at 7.00 pm under the resolution of the House today.

Motion made and question — That the sitting be continued (*Ms Spence*) — put and agreed to.

Debate continued on question — That the motion be agreed to.

Question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 23

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 44

Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Sarah Connolly; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Suzanna Sheed; Ros Spence; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams.

Question defeated.

The following members, who were not in attendance for the division, registered their opinion on the question:

NOES

Juliana Addison; Daniel Andrews; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Maree Edwards; John Eren; Sam Hibbins; Stephen McGhie; Lisa Neville; Michaela Settle; Nick Staikos; Mary-Anne Thomas; Richard Wynne

- 17 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — The Speaker announced that he had received the resignation of Ms Stitt MLC from the Public Accounts and Estimates Committee, effective from today.
- 18 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Mr Donnellan*) — put and agreed to.
- 19 **ADJOURNMENT** — After debate, the Speaker left the Chair at 9.22 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 75 — Wednesday 14 October 2020

- 1 The House met in accordance with the terms of its resolution on Tuesday 13 October 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Management of Fire Fuel Loads at Warrandyte State Park — Requesting that the Legislative Assembly ensures fire fuel loads are cleared prior to the 2020–21 fire season to keep residents safe, bearing 236 signatures (*Mr Smith, Warrandyte*).

Ordered to be tabled.

- 3 **PETITION — MANAGEMENT OF FIRE FUEL LOADS AT WARRANDYTE STATE PARK** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.
- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Follow up of Managing the Level Crossing Removal Program — Ordered to be published
Reducing Bushfire Risks — Ordered to be published
Report 2019–20

Essential Services Commission — Port of Melbourne — Market Rent Inquiry 2020

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extensions of the Declaration of a State of Emergency.

5 **STATEMENTS BY MEMBERS** — Members made statements.

6 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

7 **JUSTICE LEGISLATION AMENDMENT (SUPPORTING VICTIMS AND OTHER MATTERS) BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 28 October 2020.

8 **MARINE SAFETY AMENDMENT (BETTER BOATING FUND) BILL 2020** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 28 October 2020.

9 **WORKER SCREENING BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Bill 2020 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 11 **COVID-19 OMNIBUS (EMERGENCY MEASURES) AND OTHER ACTS AMENDMENT BILL 2020** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Ms Hennessy*) — and, after debate —

Motion made and question — That the question be now put (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 14

Jacinta Allan; Josh Bull; Anthony Carbines; Ben Carroll; Sarah Connolly; Paul Edbrooke; Matt Fregon; Katie Hall; Jill Hennessy; Sonya Kilkenny; Tim Read; Tim Richardson; Robin Scott; Natalie Suleyman.

NOES 7

Brad Battin; Michael O’Brien; Ryan Smith; Louise Staley; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Will Fowles; Danielle Green; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Michaela Settle; Ros Spence; Nick Staikos; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES

David Hodgett; James Newbury; Russell Northe; Danny O’Brien; Brad Rowswell.

Original question — accordingly put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 12 **WORKER SCREENING BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 1.00 pm under the resolution of the House on Tuesday 13 October 2020.

- 13 **QUESTION TIME** — (Under Sessional Order 9).

- 14 **WORKER SCREENING BILL 2020** — Debate continued on question — That this Bill be now read a second time.

The sitting was suspended at 2.00 pm then business was interrupted at 3.00 pm under the resolution of the House on Tuesday 13 October 2020.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — IMPACT OF THE GLOBAL CORONAVIRUS PANDEMIC ON VICTORIANS** — The Speaker read Ms Kilkenny's proposal to the House —

'That this House notes the significant impact of the global coronavirus pandemic on Victorians, and notes the actions taken by the Government to help Victorians reach COVID Normal, including:

- (1) A full return to face-to-face learning for all Victorian school children in Term 4, and the biggest ever investment in individual learning support to catch up students in 2021;
- (2) Incorporating technology into a number of government services to assist with physical distancing, including public transport and licence testing;
- (3) Unprecedented levels of financial and non-financial support for businesses impacted by coronavirus and the creation of new jobs; and
- (4) Targeted support and funding for mental health and a commitment to implement all the recommendations of the Royal Commission into Victoria's Mental Health System.'

Ms Kilkenny addressed the House — Discussion followed.

- 16 **WORKER SCREENING BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **CLADDING SAFETY VICTORIA BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms D'Ambrosio announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.30 pm under the resolution of the House on Tuesday 13 October 2020.

- 18 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.54 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 76 — Thursday 15 October 2020

- 1 The House met in accordance with the terms of its resolution on Tuesday 13 October 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **WEST GATE BRIDGE DISASTER 50 YEARS ANNIVERSARY** — The Speaker reminded the House that today marks the 50th anniversary of the 1970 West Gate Bridge collapse, which led to the deaths of 35 workers. He asked the House to take a moment to pause and think of those who lost their lives following the collapse. Members stood in their places as a mark of respect.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Waste to Energy Facility at Craigieburn and Gasification — Requesting that the Legislative Assembly rejects the application for a waste to energy facility at Craigieburn due to health, amenity, traffic and environmental concerns, or instructs the waste to energy facility at Craigieburn to utilise gasification technology as opposed to incineration technology if it proceeds, bearing 883 signatures (*Dr Read*)

Waste to Energy Facility at Craigieburn and Moratorium — Requesting that the Legislative Assembly rejects the application for a waste to energy facility at Craigieburn due to health, amenity, traffic and environmental concerns, and issues a moratorium on new incinerator plants, bearing 510 signatures (*Dr Read*).

Petitions ordered to be tabled.

- 4 **PETITION — WASTE TO ENERGY FACILITY AT CRAIGIEBURN AND GASIFICATION** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Dr Read*) — put and agreed to.
- 5 **PETITION — WASTE TO ENERGY FACILITY AT CRAIGIEBURN AND MORATORIUM** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Dr Read*) — put and agreed to.

- 6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Accessibility of Tram Services — Ordered to be published

Early Years Management in Victorian Sessional Kindergartens — Ordered to be published

Emergency Management Act 1986 — Report to Parliament on declaration of State of Disaster – Coronavirus (COVID-19) pandemic – Report 3

Financial Management Act 1994 — Financial Report for the State of Victoria 2019–20, incorporating Quarterly Financial Report No 4 — Ordered to be published

Fire Rescue Victoria Act 1958 — Year One Fire Services Reform Implementation Plan

National Parks Act 1975 — Report 2019–20 on the working of the Act

National Parks Advisory Council — Report 2019–20

Public Record Office Victoria — Report 2019–20

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 95.

- 7 **COVID-19 OMNIBUS (EMERGENCY MEASURES) AND OTHER ACTS AMENDMENT BILL 2020** — The Speaker announced that he had received a report from the Clerk of the Parliaments that, under Joint Standing Order 6(1), he has made the following correction in the Bill:

Clause 16, page 12, line 31, as inserted by the Council's amendment agreed to by the Assembly, inserts new subsection (1A)(f) into the *Public Health and Wellbeing Act 2008*. He has inserted a double quotation mark and a third full stop at the end of the new subsection. The grammatical marks inserted are required as the new subsection is to be inserted into the Principal Act.

- 8 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 27 October 2020, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(Ms Allan) — put and agreed to.

9 **STATEMENTS BY MEMBERS** — Members made statements.

10 **CLADDING SAFETY VICTORIA BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

11 **CONSUMER LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 13 October 2020.

12 **QUESTION TIME** — (Under Sessional Order 9).

13 **CONSUMER LEGISLATION AMENDMENT BILL 2020** — Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 13 October 2020 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

14 **WORKER SCREENING BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

15 **CLADDING SAFETY VICTORIA BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 3 inclusive be agreed to and the Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Sarah Connolly; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Ros Spence; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams.

NOES 23

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Daniel Andrews; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Ali Cupper; Maree Edwards; John Eren; Natalie Hutchins; Stephen McGhie; Lisa Neville; Michaela Settle; Nick Staikos; Mary-Anne Thomas; Richard Wynne.

NOES

Steph Ryan.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.13 pm under the resolution of the House on Tuesday 13 October 2020.

- 16 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.41 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 77, 78 and 79

No 77 — Tuesday 27 October 2020

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 30 October 2020:

A revised order of business

- (1) The order of business is:

Wednesday

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Question time — 1.00 pm

Lunch break and cleaning in the Chamber — 2.00 pm to 3.00 pm

Matter of public importance *or* grievance debate — 3.00 pm

Government business *continued*

Thursday

Formal business

Statements by members

Government business

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Question time — 2.00 pm

Government business *continued*

General business.

- (2) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Times of meeting

- (3) Unless otherwise ordered, the House will meet on Wednesday at 10.00 am and Thursday at 9.30 am.
- (4) The Speaker will interrupt business under Sessional Order 2 for the adjournment at 7.00 pm on Tuesday, 7.30 pm on Wednesday and 5.00 pm on Thursday.

Remote participation

- (5) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) members' statements;
 - (iv) statements on parliamentary committee reports;
 - (v) question time — to ask questions only;
 - (vi) grievance debates;
 - (vii) debates on a matter of public importance;
 - (viii) a personal explanation;
 - (ix) adjournment debates — to raise a matter only —
if they are included in the order of business;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;

-
- (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;
 - (vii) chair the debate;
- (e) members participating remotely may circulate amendments to bills under SO 64;
 - (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
 - (i) the Speaker may issue Guidelines about remote participation.

Other business to be published in Hansard

- (6) Members who are not in attendance on the parliamentary precinct for a sitting day may submit:
 - (a) members' statements;
 - (b) statements on parliamentary committee reports;
 - (c) constituency questions; and
 - (d) adjournment matters —

- for that day by emailing them to the Clerk by the adjournment of the House.
- (7) The Clerk will accept matters up to the number usually given in the House minus any matters verbally given in the House each day, and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
 - (8) The House authorises and requires these matters to be published in Hansard at the point in the proceedings/order of business that the item would have occurred and after any contributions (if any) that have been given in the House:
 - (a) subject to the Hansard editorial policy; and
 - (b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Members to incorporate their speeches for bills and motions

- (9) If a member is not in attendance on the parliamentary precinct for a sitting day and they wish to incorporate their speech —
 - (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for any substantive motion considered by the House that day, they must email their speech to the Clerk by the adjournment of the House.
- (10) Incorporated speeches will be published in Hansard —
 - (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any);
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any).
- (11) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Reduced number of members in the Chamber to assist with physical distancing

- (12) Subject to paragraphs (16) and (17), the Chamber will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members.
- (13) Except as provided for in paragraphs (16) and (17), if more members than those listed in paragraph (12) vote in a division, the Clerk will not count their vote.

Quorum

- (14) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (15) If, under paragraph (14) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (12) are suspended until a quorum is formed.
- (16) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (12) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (17) For questions relating to the passage of bills on the government business program, the provisions under paragraph (12) are suspended and divisions will take place as follows:
- (a) members will vote in up to four voting groups;
 - (b) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) subject to subparagraph (d), all members except the Chair must then leave the Chamber;

- (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (12), as required;
- (c) subject to subparagraph (d), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
- (d) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
- (e) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

(18) If a division has taken place, a member not in attendance for the division can register their opinion on the question:

- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'yes' or 'no') on the same day the division took place by no later than one hour after the House adjourns; and
- (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*

(Ms Allan) — put and agreed to.

3 **QUESTION TIME** — (Under Sessional Order 9).

4 **SPENT CONVICTIONS BILL 2020** — Ms Hennessy introduced '*A Bill for an Act to establish a scheme for certain convictions to become spent in Victoria and non-disclosable on a person's criminal record unless in specific circumstances, to consequentially amend the **Equal Opportunity Act 2010** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **ENERGY LEGISLATION AMENDMENT (LICENCE CONDITIONS) BILL 2020** — Ms D'Ambrosio introduced '*A Bill for an Act to amend the **Electricity Industry Act 2000** and the **Gas Industry Act 2001** to enable the Minister to impose conditions on licences issued under those Acts and to make consequential amendments to the **National Electricity (Victoria) Act 2005** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **TRANSPORT LEGISLATION AMENDMENT BILL 2020** — Mr Carroll introduced '*A Bill for an Act to amend the **Accident Towing Services Act 2007**, the **Heavy Vehicle National Law Application Act 2013**, the **Rail Management Act 1996**, the **Road Management Act 2004**, the **Road Safety Act 1986**, the **Transport (Compliance and Miscellaneous) Act 1983**, the*

Transport Integration Act 2010 and the Transport Legislation Amendment Act 2019 and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2019, Regulations and Legislative Instruments, together with appendices tabled by leave (*Ms Connolly*).

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 10 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Act 2020 (House Amendment)

Justice Legislation Amendment (Supporting Victims and Other Matters) Bill 2020

Marine Safety Amendment (Better Boating Fund) Bill 2020

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Forests (Wood Pulp Agreement) Act 1996 — Report to Parliament on an amendment to the agreement in the Schedule

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — C120

Brimbank — C223

Boroondara — GC164

Glen Eira — C196, C202

Manningham — GC164

Maroondah — C141

Moonee Valley — C213

Mornington Peninsula — C261

Port Phillip — C166, C174

Stonnington — C307

Victoria Planning Provisions — VC193

Whitehorse — C227

Yarra — C278, C282, C287

Statutory Rules under the following Acts:

Planning and Environment Act 1987 — SR 111

Subordinate Legislation Act 1994 — SR 110

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 101, 110.

- 8 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

National Energy Legislation Amendment Bill 2020

Police and Emergency Legislation Amendment Bill 2020

Project Development and Construction Management Amendment Bill 2020.

- 9 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 20 October 2020

COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Bill 2020

National Energy Legislation Amendment Bill 2020

On 27 October 2020

Police and Emergency Legislation Amendment Bill 2020

Project Development and Construction Management Amendment Bill 2020.

- 10 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Justice Legislation Amendment (Supporting Victims and Other Matters) Bill 2020

Marine Safety Amendment (Better Boating Fund) Bill 2020.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 29 October 2020:

Education and Training Reform Amendment Bill 2020

Human Tissue Amendment Bill 2020

Justice Legislation Amendment (Supporting Victims and Other Matters) Bill 2020

Marine Safety Amendment (Better Boating Fund) Bill 2020

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 13

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Josh Bull; Anthony Carbines; Darren Cheeseman; Steve Dimopoulos; Will Fowles; Katie Hall; Dustin Halse; Frank McGuire; Pauline Richards; Mary-Anne Thomas.

NOES 9

Neil Angus; Tim Bull; Russell Northe; Danny O'Brien; Brad Rowswell; Suzanna Sheed; David Southwick; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Chris Brayne; Ben Carroll; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Ms Kilkenny; Gary Maas; Stephen McGhie; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES

James Newbury.

- 12 **STATEMENTS BY MEMBERS** — Members made statements.
- 13 **EDUCATION AND TRAINING REFORM AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business was interrupted at 7.00 pm under the resolution of the House today.*
- 14 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 7.23 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 78 — Wednesday 28 October 2020

- 1 The House met in accordance with the terms of its resolution on Tuesday 27 October 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **FOOD AMENDMENT BILL 2020** — Mr Foley introduced ‘A Bill for an Act to amend the **Food Act 1984** and the **Public Health and Wellbeing Act 2008** and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **ACTING SPEAKERS** — The Speaker tabled the following warrant:

PANEL OF ACTING SPEAKERS

Under Standing Order 20, I appoint Bronwyn Halfpenny to preside as Acting Speaker whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrants of 5, 6 and 19 February 2019 and 3 March, 23 April and 3 September 2020.

Colin Brooks MP
SPEAKER
27 October 2020.

4 DOCUMENTS

PARLIAMENTARY DEPARTMENTS — Reports 2019–20 of the Department of the Legislative Assembly and Department of Parliamentary Services tabled by leave (*Ms Kilkenny*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine Resorts — C29
Banyule — C159
Nillumbik — C117 Part 2
Port Phillip — C192
Wellington — C102

Statutory Rules under the following Acts:

COVID-19 Omnibus (Emergency Measures) Act 2020 — SR 118
Estate Agents Act 1980 — SR 114
Local Government Act 1989 — SR 115
Local Government Act 2020 — SRs 116, 117
Magistrates’ Court Act 1989 — SRs 112, 113

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 112, 113, 114, 115, 116, 117.

- 5 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Cladding Safety Victoria Bill 2020

Education and Training Reform Amendment (Regulation of Student Accommodation) Bill 2020.

- 6 **STATEMENTS BY MEMBERS** — Members made statements.

- 7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

- 8 **SPENT CONVICTIONS BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Britnell*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 11 November 2020.

- 9 **ENERGY LEGISLATION AMENDMENT (LICENCE CONDITIONS) BILL 2020** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Britnell*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 11 November 2020.

- 10 **TRANSPORT LEGISLATION AMENDMENT BILL 2020** — Mr Carroll tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Carroll*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Britnell*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 11 November 2020.

- 11 **HUMAN TISSUE AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Foley announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 1.00 pm under the resolution of the House on Tuesday 27 October 2020.

- 12 **QUESTION TIME** — (Under Sessional Order 9).

- 13 **HUMAN TISSUE AMENDMENT BILL 2020** — Debate resumed on question — That this Bill be now read a second time.

The sitting was suspended at 2.00 pm then business was interrupted at 3.00 pm under the resolution of the House on Tuesday 27 October 2020.

- 14 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — LOCAL REGIONAL MEDIA** — The Speaker read Ms Sheed's proposal to the House —

'That this House notes the very important contribution our local regional media plays in curating and delivering community-based reporting, expresses grave concerns about the consolidation of media organisations and loss of media diversity in our regions and calls on our Federal and State Governments to show their support for regional media generally by noting:

- (1) the important role that a local media presence has within regional communities;
- (2) the concerning decline of localised journalism;
- (3) the impact of COVID-19 on regional media in Victoria;
- (4) the trends that have emerged in recent years leading to the decline in regional media; and
- (5) the need for both the Federal Government and the Victorian State Government to support media diversity and provide the financial support to ensure the continued viability of our regional media.'

Ms Sheed addressed the House — Discussion followed.

- 15 **HUMAN TISSUE AMENDMENT BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **JUSTICE LEGISLATION AMENDMENT (SUPPORTING VICTIMS AND OTHER MATTERS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the families, loved ones and advocates for deceased sexual assault victims have been consulted on the proposed changes and are comfortable with the Bill’ (*Mr Southwick*) — and, after debate —

Mr Southwick announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.30 pm under the resolution of the House on Tuesday 27 October 2020.

- 17 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.56 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 79 — Thursday 29 October 2020

- 1 The House met in accordance with the terms of its resolution on Tuesday 27 October 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS**

PARLIAMENTARY BUDGET OFFICE — Ms Blandthorn, Chair, Public Accounts and Estimates Committee, tabled the Parliamentary Budget Office Report 2019–20.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

AMES Australia — Report 2019–20

Australian Centre for the Moving Image (ACMI) — Report 2019–20

City West Water Corporation — Report 2019–20

Development Victoria — Report 2019–20

Docklands Studios Melbourne Pty Ltd — Report 2019–20

Eastern Health — Report 2019–20

Education and Training, Department of — Report 2019–20

Emergency Services Superannuation Scheme (ESSSuper) — Report 2019–20

Environment, Land, Water and Planning, Department of — Report 2019–20

Film Victoria — Report 2019–20

Financial Management Act 1994 — Report from the Minister for Women that she had received the Report 2019–20 of the Queen Victoria Women’s Centre Trust

Goulburn-Murray Rural Water Corporation — Report 2019–20

Health and Human Services, Department of — Report 2019–20

Independent Broad-based Anti-corruption Commission — Report 2019–20 — Ordered to be published

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 102 (*Gazette S542, 26 October 2020*)

Jobs, Precincts and Regions, Department of — Report 2019–20

Justice and Community Safety, Department of — Report 2019–20

Library Board of Victoria — Report 2019–20

Melbourne Health (Royal Melbourne Hospital) — Report 2019–20

Melbourne Port Lessor Pty Ltd — Report 2019–20

Melbourne Recital Centre — Report 2019–20

Melbourne Water Corporation — Report 2019–20

Monash Health — Report 2019–20

Museums Board of Victoria — Report 2019–20

National Gallery of Victoria (NGV) — Report 2019–20

Ombudsman — Investigation into complaints about assaults of five children living in Child Protection residential care units — Ordered to be published

Police Registration and Services Board — Report 2019–20

Portable Long Service Authority — Report 2019–20

Port of Hastings Development Authority — Report 2019–20

Premier and Cabinet, Department of — Report 2019–20

Racing Integrity Commissioner — Report 2019–20

Regional Development Victoria — Report 2019–20

Renewable Energy (Jobs and Investment) Act 2017 — Victorian Renewable Energy Target 2019–20 Progress Report

Respect Victoria — Report 2019–20

Road Safety Camera Commissioner — Report 2019–20

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2019–20

Rolling Stock (Victoria-VL) Pty Ltd — Report 2019–20

Rolling Stock (VL-1) Pty Ltd — Report 2019–20

Rolling Stock (VL-2) Pty Ltd — Report 2019–20

Rolling Stock (VL-3) Pty Ltd — Report 2019–20

Royal Children’s Hospital — Report 2019–20

Shrine of Remembrance Trustees — Report 2019–20

South East Water Corporation — Report 2019–20

Transport Accident Commission (TAC) — Report 2019–20

Transport, Department of — Report 2019–20

Treasury and Finance, Department of — Report 2019–20

Treasury Corporation of Victoria — Report 2019–20

Victoria Police — Report 2019–20

Victorian Arts Centre Trust — Report 2019–20

Victorian Catchment Management Council — Report 2019–20

Victorian Commission for Gambling and Liquor Regulation — Report 2019–20

Victorian Curriculum and Assessment Authority — Report 2019–20

Victorian Electoral Commission — Report 2019–20

Victorian Information Commissioner, Office of (OVIC) — Report 2019–20

Victorian Inspectorate — Report 2019–20

Victorian Institute of Teaching — Report 2019–20

Victorian Managed Insurance Authority (VMIA) — Report 2019–20

Victorian Multicultural Commission — Report 2019–20

Victorian Public Sector Commission — Report 2019–20

Victorian Racing Integrity Board — Report 2019–20

Victorian Rail Track (VicTrack) — Report 2019–20

Victorian Regional Channels Authority — Report 2019–20

Victorian Registration and Qualifications Authority — Report 2019–20

Victorian Small Business Commission — Report 2019–20 — Ordered to be published

Victorian Veterans Council — Report 2019–20

Victorian WorkCover Authority (WorkSafe Victoria) — Report 2019–20

Yarra Valley Water Corporation — Report 2019–20.

3 SITTING OF THE HOUSE — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 10 November 2020, or an earlier day and hour to be fixed by the Speaker.

(2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.

(3) The Speaker will notify members of any changes to the next sitting date

(*Ms Allan*) — after debate, put and agreed to.

4 **STATEMENTS BY MEMBERS** — Members made statements.

5 **FOOD AMENDMENT BILL 2020** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 12 November 2020.

6 **JUSTICE LEGISLATION AMENDMENT (SUPPORTING VICTIMS AND OTHER MATTERS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the families, loved ones and advocates for deceased sexual assault victims have been consulted on the proposed changes and are comfortable with the Bill’; debate resumed.

Ms Vallence announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Mr Cheeseman*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

7 **MARINE SAFETY AMENDMENT (BETTER BOATING FUND) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this Bill be withdrawn and redrafted to provide for:

- (1) a mechanism for the hypothecation of all fees relating to the registration, renewal and transfer of registration of recreational vessels to the Better Boating Fund; and
- (2) the substitution of the proposed reporting framework with a more robust, accountable framework that includes direct reporting to Parliament’

(Mr Morris) — and, after debate —

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 27 October 2020.

8 **QUESTION TIME** — (Under Sessional Order 9).

9 **MARINE SAFETY AMENDMENT (BETTER BOATING FUND) BILL 2020** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 27 October 2020 had expired.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 49

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams.

NOES 23

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Christine Couzens; Maree Edwards; John Eren; Lisa Neville; Tim Pallas; Meng Heang Tak; Kat Theophanous; Richard Wynne.

NOES

Neale Burgess; Emma Kealy; Russell Northe; Steph Ryan.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 10 **EDUCATION AND TRAINING REFORM AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **HUMAN TISSUE AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 3 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **JUSTICE LEGISLATION AMENDMENT (SUPPORTING VICTIMS AND OTHER MATTERS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the families, loved ones and advocates for deceased sexual assault victims have been consulted on the proposed changes and are comfortable with the Bill’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny;

Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams.

NOES 26

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; Sam Hibbins; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Ellen Sandell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Christine Couzens; Maree Edwards; John Eren; Lisa Neville; Tim Pallas; Meng Heang Tak; Kat Theophanous; Richard Wynne.

NOES

Neale Burgess; Ali Cupper; Emma Kealy; Russell Northe; Steph Ryan.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 49

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams.

NOES 23

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Christine Couzens; Maree Edwards; John Eren; Lisa Neville; Tim Pallas; Meng Heang Tak; Kat Theophanous; Richard Wynne.

NOES

Neale Burgess; Ali Cupper; Emma Kealy; Russell Northe; Steph Ryan.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.34 pm under the resolution of the House on Tuesday 27 October 2020.

- 13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.55 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 80, 81 and 82

No 80 — Tuesday 10 November 2020

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 13 November 2020:

A revised order of business

- (1) The order of business is:

Wednesday

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Suspension — 10.50 am to 11.20 am

Government business *continued*

Question time — 1.00 pm

Government business *continued*

Lunch break and cleaning in the Chamber — 2.00 pm to 3.00 pm

Matter of public importance *or* grievance debate — 3.00 pm

Government business *continued*

Thursday

Formal business

Statements by members

Government business

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Question time — 2.00 pm

Government business *continued*

General business.

- (2) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Times of meeting

- (3) Unless otherwise ordered, the House will meet on Wednesday at 10.00 am and Thursday at 9.30 am.
- (4) The Speaker will interrupt business under Sessional Order 2 for the adjournment at 7.00 pm on Tuesday, 7.30 pm on Wednesday and 5.00 pm on Thursday.

Remote participation

- (5) Members may participate in debate remotely using an audio link or audio visual link as follows:
 - (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) members' statements;
 - (iv) statements on parliamentary committee reports;
 - (v) question time — to ask questions only;
 - (vi) grievance debates;
 - (vii) debates on a matter of public importance;
 - (viii) a personal explanation;
 - (ix) adjournment debates — to raise a matter only —
if they are included in the order of business;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;

-
- (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;
 - (vii) chair the debate;
- (e) members participating remotely may circulate amendments to bills under SO 64;
 - (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
 - (i) the Speaker may issue Guidelines about remote participation.

Other business to be published in Hansard

- (6) Members who are not in attendance on the parliamentary precinct for a sitting day may submit:
 - (a) members' statements;

- (b) statements on parliamentary committee reports;
- (c) constituency questions; and
- (d) adjournment matters —

for that day by emailing them to the Clerk by the adjournment of the House.

- (7) The Clerk will accept matters up to the number usually given in the House minus any matters verbally given in the House each day, and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (8) The House authorises and requires these matters to be published in Hansard at the point in the proceedings/order of business that the item would have occurred and after any contributions (if any) that have been given in the House:
 - (a) subject to the Hansard editorial policy; and
 - (b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Members to incorporate their speeches for bills and motions

- (9) If a member is not in attendance on the parliamentary precinct for a sitting day and they wish to incorporate their speech —
 - (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for any substantive motion considered by the House that day, they must email their speech to the Clerk by the adjournment of the House.
- (10) Incorporated speeches will be published in Hansard —
 - (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any);
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any).
- (11) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Reduced number of members in the Chamber to assist with physical distancing

- (12) Subject to paragraphs (16) and (17), the Chamber will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members.
- (13) Except as provided for in paragraphs (16) and (17), if more members than those listed in paragraph (12) vote in a division, the Clerk will not count their vote.

Quorum

- (14) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (15) If, under paragraph (14) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (12) are suspended until a quorum is formed.
- (16) If, under SO 29(2), there is found not to be a quorum during a division:
 - (a) the provisions under paragraph (12) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (17) For questions relating to the passage of bills on the government business program, the provisions under paragraph (12) are suspended and divisions will take place as follows:
 - (a) members will vote in up to four voting groups;
 - (b) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;

- (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) subject to subparagraph (d), all members except the Chair must then leave the Chamber;
 - (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (12), as required;
- (c) subject to subparagraph (d), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
 - (d) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
 - (e) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (18) If a division has taken place, a member not in attendance for the division can register their opinion on the question:
- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') on the same day the division took place by no later than one hour after the House adjourns; and
 - (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*

(Ms Allan) — put and agreed to.

3 QUESTION TIME — (Under Sessional Order 9).

- 4 PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2020** — Mr Foley introduced 'A Bill for an Act to amend the *Public Health and Wellbeing Act 2008* and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Reclassify the Mornington Peninsula — Requesting that the Legislative Assembly reclassifies the Mornington Peninsula as outside the metropolitan area and ends the lockdown, bearing 1447 signatures (*Mr Morris*)

Management of Fire Fuel Loads at Warrandyte State Park — Requesting that the Legislative Assembly ensures fire fuel loads are cleared prior to the 2020–21 fire season to keep residents safe, bearing 1088 signatures (*Mr Smith, Warrandyte*).

Petitions ordered to be tabled.

- 6 **PETITION — RECLASSIFY THE MORNINGTON PENINSULA** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.

7 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny tabled the Alert Digest No 11 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Cladding Safety Victoria Act 2020

COVID-19 Commercial and Residential Tenancies Legislation Amendment (Extension) Act 2020

Energy Legislation Amendment (Licence Conditions) Bill 2020

Food Amendment Bill 2020

Spent Convictions Bill 2020

Transport Legislation Amendment Bill 2020

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Board of Inquiry into the COVID-19 Hotel Quarantine Program — COVID-19 Hotel Quarantine Inquiry Interim Report and Recommendations — Ordered to be published

Emergency Management Act 1986 — Report to Parliament on declaration of State of Disaster — Coronavirus (COVID-19) pandemic — Report 4

Legal Profession Uniform Law Application Act 2014 — Practitioner Remuneration Order 2021

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C174
 Darebin — C193, C194
 Frankston — C142
 Greater Shepparton — C215
 Melbourne — C373, C377, C399
 Moonee Valley — C216
 Surf Coast — C125
 Victoria Planning Provisions — VC191
 Whittlesea — C230

Royal Commission into National Natural Disaster Arrangements — Report

Statutory Rules under the following Acts:

COVID-19 Omnibus (Emergency Measures) Act 2020 — SR 120
Liquor Control Reform Act 1998 — SR 119
Road Safety Act 1986 — SR 121

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 93, 99, 106, 111, 118, 119, 120.

PROCLAMATION — Under Standing Order 177A, the Clerk tabled the following proclamation fixing an operative date:

National Energy Legislation Amendment Act 2020 — Whole Act (other than Part 3 and Division 2 of Part 4) — 27 October 2020 (*Gazette S546, 27 October 2020*).

8 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Consumer Legislation Amendment Bill 2020
 Worker Screening Bill 2020.

9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 4 November 2020, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Cladding Safety Victoria Bill 2020
 Consumer Legislation Amendment Bill 2020
 Education and Training Reform Amendment (Regulation of Student Accommodation) Bill 2020
 Worker Screening Bill 2020.

- 10 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Food Amendment Bill 2020
 Transport Legislation Amendment Bill 2020.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 12 November 2020:

Consumer and Other Acts Miscellaneous Amendments Bill 2020
 Energy Legislation Amendment (Licence Conditions) Bill 2020
 Food Amendment Bill 2020
 Transport Legislation Amendment Bill 2020

(Ms Allan) — after debate, put.

The House divided (the Deputy Speaker, Ms Edwards, in the Chair) —

AYES 14

Juliana Addison; Josh Bull; Darren Cheeseman; Christine Couzens; Ali Cupper; Will Fowles; Katie Hall; Melissa Horne; Frank McGuire; Martin Pakula; Danny Pearson; Pauline Richards; Tim Richardson; Mary-Anne Thomas.

NOES 9

David Hodgett; Tim McCurdy; James Newbury; Russell Northe; Danny O’Brien; Suzanna Sheed; David Southwick; Bridget Vallence; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Anthony Carbines; Ben Carroll; Sarah Connolly; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; Jill Hennessy; Natalie Hutchins; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; James Merlino; Lisa Neville; Tim Pallas; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES

Brad Rowswell.

- 12 **STATEMENTS BY MEMBERS** — Members made statements.

- 13 **CONSUMER AND OTHER ACTS MISCELLANEOUS AMENDMENTS BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms Horne announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.
Business was interrupted at 7.00 pm under the resolution of the House today.

- 14 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.25 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 81 — Wednesday 11 November 2020

- 1 The House met in accordance with the terms of its resolution on Tuesday 10 November 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2020** — Mr Foley introduced ‘*A Bill for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** in relation to the supply of hypodermic needles and syringes and the supply, possession and administration of naloxone or other Schedule 2 or Schedule 3 poisons for the treatment of opioid overdose and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Marong Public Transport — Requesting that the Legislative Assembly extends public transport in Bendigo to Marong to meet the needs of the community, bearing 476 signatures (*Ms Edwards*)

Reclassify the Mornington Peninsula — Requesting that the Legislative Assembly reclassifies the Mornington Peninsula as outside the metropolitan area and ends the lockdown, bearing 1675 signatures (*Mr Morris*)

Management of Fire Fuel Loads at Warrandyte State Park — Requesting that the Legislative Assembly ensures fire fuel loads are cleared prior to the 2020–21 fire season to keep residents safe, bearing 115 signatures (*Mr Smith, Warrandyte*).

Petitions ordered to be tabled.

-
- 4 **PETITION — MANAGEMENT OF FIRE FUEL LOADS AT WARRANDYTE STATE PARK** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.
- 5 **PETITION — MANAGEMENT OF FIRE FUEL LOADS AT WARRANDYTE STATE PARK** — Motion made and question — That the petition presented by the Member for Warrandyte on 10 November 2020 be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.
- 6 **PETITION — MARONG PUBLIC TRANSPORT** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 7 **PETITION — RECLASSIFY THE MORNINGTON PENINSULA** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:
- Crown Land (Reserves) Act 1978* — Order under s 17B granting a licence over Knox Community Gardens Reserve
- Land Tax Act 2005* — Report 2019–20 of Land Tax Absentee Owner Surcharge Exemptions under s 3BB
- Public Health and Wellbeing Act 2008* — Report to Parliament on the Extensions of the Declaration of a State of Emergency
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rule 121.
- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2020 without amendment.
- 10 **STATEMENTS BY MEMBERS** — Members made statements.
- [The Speaker left the Chair at 10.30 am and resumed it at 11.22 am]*
- Members made further statements.
- 11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.
- 12 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2020** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.
- Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put and agreed to.

Motion made and question — That the debate be adjourned for 13 days (*Mr Foley*) — put. The House divided (the Acting Speaker, Mr McGuire, in the Chair) —

AYES 16

Darren Cheeseman; Sarah Connolly; Ali Cupper; Paul Edbrooke; Martin Foley; Will Fowles; Paul Hamer; Melissa Horne; Natalie Hutchins; Danny Pearson; Tim Read; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Gabrielle Williams.

NOES 7

Brad Battin; Roma Britnell; Cindy McLeish; Danny O'Brien; Ryan Smith; Louise Staley; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Jill Hennessy; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Pauline Richards; Tim Richardson; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES

David Hodgett; James Newbury; Russell Northe.

Debate adjourned until Tuesday 24 November 2020.

- 13 **ENERGY LEGISLATION AMENDMENT (LICENCE CONDITIONS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 1.00 pm under the resolution of the House on Tuesday 10 November 2020.

- 14 **QUESTION TIME** — (Under Sessional Order 9).

- 15 **ENERGY LEGISLATION AMENDMENT (LICENCE CONDITIONS) BILL 2020** — Debate continued on question — That this Bill be now read a second time.

The sitting was suspended at 2.00 pm then business was interrupted at 3.00 pm under the resolution of the House on Tuesday 10 November 2020.

- 16 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.
- 17 **ENERGY LEGISLATION AMENDMENT (LICENCE CONDITIONS) BILL 2020** — Debate continued on question — That this Bill be now read a second time.
Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Supporting Victims and Other Matters) Bill 2020 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 19 **JUSTICE LEGISLATION AMENDMENT (SUPPORTING VICTIMS AND OTHER MATTERS) BILL 2020** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 20 **ENERGY LEGISLATION AMENDMENT (LICENCE CONDITIONS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **TRANSPORT LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.30 pm under the resolution of the House on Tuesday 10 November 2020.

- 22 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.55 pm.

No 82 — Thursday 12 November 2020

- 1 The House met in accordance with the terms of its resolution on Tuesday 10 November 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Agricultural Industry Development Act 1990 — Murray Valley Wine Grape Industry Development (ExtraTerritorial) Order 2020

Australian Criminal Intelligence Commission — Report 2019–20 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Game Management Authority — Report 2019–20 under s 30L of the *Surveillance Devices Act 1999*

Statutory Rules under the following Acts:

Commercial Passenger Vehicle Industry Act 2017 — SR 122

Road Safety Act 1986 — SR 123

Victoria Police — Report 2019–20 under s 37F of the *Terrorism (Community Protection) Act 2003*

Victorian Fisheries Authority — Report 2019–20 under s 30L of the *Surveillance Devices Act 1999*.

- 3 **SITTING OF THE HOUSE** — Motion made and question — That:

(1) The House, at its rising, adjourns until Tuesday 24 November 2020, or an earlier day and hour to be fixed by the Speaker.

(2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.

(3) The Speaker will notify members of any changes to the next sitting date

(*Ms Allan*) — put and agreed to.

- 4 **STATEMENTS BY MEMBERS** — Members made statements.

- 5 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2020** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 26 November 2020.

- 6 **TRANSPORT LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 7 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 3 be postponed until later this day.

- 8 **CONSUMER AND OTHER ACTS MISCELLANEOUS AMENDMENTS BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Donnellan announced further amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Further amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 9 **TRANSPORT LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 10 November 2020.

- 10 **QUESTION TIME** — (Under Sessional Order 9).

- 11 **TRANSPORT LEGISLATION AMENDMENT BILL 2020** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Cheeseman*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **FOOD AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 10 November 2020 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **CONSUMER AND OTHER ACTS MISCELLANEOUS AMENDMENTS BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 17 inclusive and Government further amendment Nos 1 to 19 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **ENERGY LEGISLATION AMENDMENT (LICENCE CONDITIONS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 50

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 23

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Luke Donnellan; John Eren; Bronwyn Halfpenny; Natalie Hutchins; Lisa Neville; Meng Heang Tak.

NOES

Emma Kealy; Russell Northe.

Bill sent to the Legislative Council and their agreement requested.

- 15 **TRANSPORT LEGISLATION AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.13 pm under the resolution of the House on Tuesday 10 November 2020.

- 16 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.37 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

VOTES AND PROCEEDINGS

Nos 83, 84 and 85

No 83 — Tuesday 24 November 2020

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 27 November 2020:

A revised order of business

- (1) The order of business is:

Wednesday

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Question time — 1.00 pm

Government business *continued*

Lunch break and cleaning in the Chamber — 2.00 pm to 3.00 pm

Matter of public importance *or* grievance debate — 3.00 pm

Government business *continued*

Thursday

Formal business

Statements by members

Government business

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Question time — 2.00 pm

Government business *continued*

General business.

- (2) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Times of meeting

- (3) Unless otherwise ordered, the House will meet on Wednesday at 10.00 am and Thursday at 9.30 am.

- (4) The Speaker will interrupt business under Sessional Order 2 for the adjournment at 7.00 pm on Tuesday, 7.30 pm on Wednesday and 5.00 pm on Thursday.

Remote participation

- (5) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) members' statements;
 - (iv) statements on parliamentary committee reports;
 - (v) question time — to ask questions only;
 - (vi) grievance debates;
 - (vii) debates on a matter of public importance;
 - (viii) a personal explanation;
 - (ix) adjournment debates — to raise a matter only —
if they are included in the order business;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;

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- (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;
 - (vii) chair the debate;
- (e) members participating remotely may circulate amendments to bills under SO 64;
- (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
- (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
- (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
- (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
- (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) re-ordering business; and
- (i) the Speaker may issue Guidelines about remote participation.

Other business to be published in Hansard

- (6) Members who are not in attendance on the parliamentary precinct for a sitting day may submit:
- (a) members' statements;
 - (b) statements on parliamentary committee reports;
 - (c) constituency questions; and

- (d) adjournment matters —
- for that day by emailing them to the Clerk by the adjournment of the House.
- (7) The Clerk will accept matters up to the number usually given in the House minus any matters verbally given in the House each day, and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (8) The House authorises and requires these matters to be published in Hansard at the point in the proceedings/order of business that the item would have occurred and after any contributions (if any) that have been given in the House:
- (a) subject to the Hansard editorial policy; and
 - (b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Members to incorporate their speeches for bills and motions

- (9) If a member is not in attendance on the parliamentary precinct for a sitting day and they wish to incorporate their speech —
- (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for any substantive motion considered by the House that day, they must email their speech to the Clerk by the adjournment of the House.
- (10) Incorporated speeches will be published in Hansard —
- (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any);
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any).
- (11) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Reduced number of members in the Chamber to assist with physical distancing

- (12) Subject to paragraphs (16) and (17), the Chamber will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members.

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- (13) Except as provided for in paragraphs (16) and (17), if more members than those listed in paragraph (12) vote in a division, the Clerk will not count their vote.

Quorum

- (14) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (15) If, under paragraph (14) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (12) are suspended until a quorum is formed.
- (16) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (12) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (17) For questions relating to the passage of bills on the government business program, the provisions under paragraph (12) are suspended and divisions will take place as follows:
- (a) members will vote in up to four voting groups;
 - (b) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;

- (v) subject to subparagraph (d), all members except the Chair must then leave the Chamber;
- (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (12), as required;
- (c) subject to subparagraph (d), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
- (d) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
- (e) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (18) If a division has taken place, a member not in attendance for the division can register their opinion on the question:
- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') on the same day the division took place by no later than one hour after the House adjourns; and
 - (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*

(Ms Allan) — put and agreed to.

3 QUESTION TIME — (Under Sessional Order 9).

- 4 **STATE TAXATION ACTS AMENDMENT BILL 2020** — Mr Pallas introduced '*A Bill for an Act to amend the Duties Act 2000, the Environment Protection Act 1970, the Environment Protection Amendment Act 2018, the First Home Owner Grant Act 2000, the Gambling Regulation Act 2003, the Land Tax Act 2005, the Taxation Administration Act 1997 and the Valuation of Land Act 1960 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 DOCUMENTS

BUDGET PAPERS 2020–21 —

Budget Paper No 1 — Treasurer's Speech
 Budget Overview
 Jobs Plan

Budget Information Paper — Rural and Regional
Budget Information Paper — Suburban
Budget Information Paper — Gender Equality Budget Statement

tabled by leave (*Mr Pallas*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 12 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Drugs, Poisons and Controlled Substances Amendment Bill 2020
Human Tissue Amendment Bill 2020
Public Health and Wellbeing Amendment Bill 2020
SR No 63 — Marine Safety Amendment (Expiry Date) Interim Regulations 2020

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Accessing Emergency Funding to Meet Urgent Claims — Ordered to be published
Report on the Annual Financial Report of the State of Victoria: 2019–20 — Ordered to be published

Australian Criminal Intelligence Commission, Board of — Report 2018–19

Duties Act 2000 — Reports 2019–20 of concessions and exemptions under ss 250B and 250DD (two documents)

Financial Management Act 1994:

2020–21 Budget Paper No 2 — Strategy and Outlook
2020–21 Budget Paper No 3 — Service Delivery
2020–21 Budget Paper No 4 — Statement of Finances (incorporating Quarterly Financial Report No 1)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C226
Boroondara — C347
Cardinia — C250
Colac Otway — C101
Darebin — C167
Frankston — C130

Glenelg — C97
 Greater Bendigo — C262
 Greater Dandenong — C217, C222
 Hepburn — C83
 Knox — C187
 Maribyrnong — C170
 Maroondah — C116
 Melton — C222, C223
 Mitchell — GC102, GC156
 Monash — C162
 Moorabool — C95
 Moreland — C213
 Stonnington — C285, C308
 Victoria Planning Provisions — VC192
 Whittlesea — C236, GC102, GC156
 Wyndham — C228
 Yarra — C279
 Yarra Ranges — C159
 Yarriambiack — C27

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability — Interim Report

Statutory Rules under the following Acts:

Alpine Resorts (Management) Act 1997 — SR 128
Children, Youth and Families Act 2005 — SRs 126, 127
Criminal Procedure Act 2009 — SR 127
Family Violence Protection Act 2008 — SRs 126, 127
Magistrates' Court Act 1989 — SR 124
Personal Safety Intervention Orders Act 2010 — SRs 126, 127
Tobacco Act 1987 — SR 129
Victorian Civil and Administrative Tribunal Act 1998 — SR 125

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 122, 123, 124, 125, 126, 127, 128, 129.

PROCLAMATION — Under Standing Order 177A, the Clerk tabled the following proclamation fixing an operative date:

Professional Engineers Registration Act 2019 — Part 1, Part 3, ss 103, 104 and 105 and Division 2 of Part 8 — 10 November 2020 (*Gazette S575, 10 November 2020*).

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Marine Safety Amendment (Better Boating Fund) Bill 2020 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Parks and Crown Land Legislation Amendment Bill 2019 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 17 November 2020, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Justice Legislation Amendment (Supporting Victims and Other Matters) Bill 2020
Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2020.

- 9 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (2020–2021) Bill 2020, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2020/2021.

Estimates ordered to be tabled.

- 10 **APPROPRIATION (2020–2021) BILL 2020** — Mr Pallas introduced ‘*A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2020/2021 and for other purposes*’; and the Bill was read a first time. In accordance with SO 61(3)(a), the House proceeded immediately to the second reading.

Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 11 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2020–2021) Bill 2020, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2020/2021.

Estimates ordered to be tabled.

- 12 **APPROPRIATION (PARLIAMENT 2020–2021) BILL 2020** — Ms Allan introduced ‘*A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2020/2021 and for other purposes*’; and the Bill was read a first time. In accordance with SO 61(3)(a), the House proceeded immediately to the second reading.

Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 13 **CONCURRENT DEBATE** — Motion made, by leave, and question — That this House authorises and requires the Speaker to permit the second reading and subsequent stages of the Appropriation (2020–2021) Bill 2020 and the Appropriation (Parliament 2020–2021) Bill 2020 to be moved and debated concurrently (*Ms Allan*) — put and agreed to.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 26 November 2020:

Appropriation (2020–2021) Bill 2020
 Appropriation (Parliament 2020–2021) Bill 2020
 Public Health and Wellbeing Amendment Bill 2020
 State Taxation Acts Amendment Bill 2020

(*Ms Allan*) — after debate, put and agreed to.

- 15 **STATEMENTS BY MEMBERS** — Members made statements.

- 16 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Food Amendment Bill 2020 without amendment.

- 18 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2019** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **MARINE SAFETY AMENDMENT (BETTER BOATING FUND) BILL 2020** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Energy Legislation Amendment (Licence Conditions) Bill 2020 without amendment.
- 21 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under the resolution of the House today.

- 22 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 84 — Wednesday 25 November 2020

- 1 The House met in accordance with the terms of its resolution on Tuesday 24 November 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **CHANGE OR SUPPRESSION (CONVERSION) PRACTICES PROHIBITION BILL 2020** — Ms Hennessy introduced ‘*A Bill for an Act to prohibit change or suppression practices, to amend certain definitions in the **Equal Opportunity Act 2010** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (PROVISIONAL PAYMENTS) BILL 2020** — Ms Hennessy introduced ‘*A Bill for an Act to amend the **Workplace Injury Rehabilitation and Compensation Act 2013** to provide for a provisional payments scheme for workplace mental injuries, to make corresponding and consequential amendments to the **Accident Compensation Act 1985** and certain Acts that provide for personal injury compensation for volunteers, and to make other minor and technical amendments, and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Reclassify the Mornington Peninsula** — Requesting that the Legislative Assembly reclassifies the Mornington Peninsula as outside the metropolitan area and ends the lockdown, bearing 63 signatures (*Mr Morris*).

Ordered to be tabled.

- 5 **PETITION — RECLASSIFY THE MORNINGTON PENINSULA** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.

6 **DOCUMENTS**

ENVIRONMENT AND PLANNING STANDING COMMITTEE — Mr Cheeseman, Chair, tabled a report from the Environment and Planning Standing Committee on the Inquiry into tackling climate change in Victorian communities, together with an appendix and transcripts of evidence.

Report and appendix ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Financial Management Act 1994 — Budget Update 2020–21

Health Complaints Commissioner — Report 2019–20

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Prevention of Cruelty to Animals Act 1986* — Revision of Animal Welfare Codes of Practice.

- 7 **STATEMENTS BY MEMBERS** — Members made statements.
- 8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.
- 9 **STATE TAXATION ACTS AMENDMENT BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Britnell*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 9 December 2020.

- 10 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Horne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **STATE TAXATION ACTS AMENDMENT BILL 2020** — The Speaker advised the House that, as the House had already agreed to a Government Business Program that includes this Bill and the completion time is 5.00 pm tomorrow, it was not in order for the House to adjourn debate for two weeks. The Speaker asked the House to reconsider the period of time for the adjournment of debate.

After debate, ordered — That the debate be adjourned until later this day.

- 12 **STATE TAXATION ACTS AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 1.00 pm under the resolution of the House on Tuesday 24 November 2020.

- 13 **QUESTION TIME** — (Under Sessional Order 9).

- 14 **STATE TAXATION ACTS AMENDMENT BILL 2020** — Debate continued on question — That this Bill be now read a second time.

The sitting was suspended at 2.00 pm then business was interrupted at 3.00 pm under the resolution of the House on Tuesday 24 November 2020.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — RECOVERY OF THE VICTORIAN COMMUNITY AND ECONOMY** — The Speaker read Ms D'Ambrosio's proposal to the House —

'That this House notes the Andrews' Labor Government's strong path forward towards the recovery of the Victorian community and economy, following the impacts of the global coronavirus pandemic, including:

- (1) a Jobs Plan for rebuilding Victoria's economy;
- (2) a resilient health and mental health system that delivers for all Victorians;
- (3) education and training for all Victorians, including building 11 new schools and investing in hundreds more;
- (4) an investment of \$5.3 billion for social housing and \$870 million to mental health to support strong and safe communities;
- (5) continuing Victoria's Big Build and local infrastructure stimulus, with a commitment of \$2.2 billion for initial works of the Suburban Rail Loop; and

- (6) keeping the cost of living down with an investment of \$797 million for household energy efficiency and fairness.’

Ms D’Ambrosio addressed the House — Discussion followed.

- 16 **STATE TAXATION ACTS AMENDMENT BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Fregon*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.30 pm under the resolution of the House on Tuesday 24 November 2020.

- 18 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 8.01 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 85 — Thursday 26 November 2020

- 1 The House met in accordance with the terms of its resolution on Tuesday 24 November 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Reinstate Warneet Jetties by 2021 — Requesting that Parks Victoria reinstate the entire Warneet North Jetty and the southern end of the Warneet South Jetty to a safe and usable condition by 1 January 2021, bearing 860 signatures (*Mr Burgess*).

Ordered to be tabled.

- 3 **PETITION — REINSTATE WARNEET JETTIES BY 2021** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.

- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Cenitex — Report 2019–20

Gambling Regulation Act 2003 — Review of Part 6A (Point of Consumption Tax on wagering and betting)

Local Jobs First — Report 2019–20

Public Health and Wellbeing Act 2008 — No Jab No Play 2020 review under s 149A.

- 5 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the State Taxation Acts Amendment Bill 2020.

- 6 **ENVIRONMENT AND PLANNING STANDING COMMITTEE** — The Speaker announced that he had received the resignation of Mr Cheeseman from the Environment and Planning Standing Committee, effective from 25 November 2020.

- 7 **EXTENSIONS TO COMMITTEE REPORTING DATES** — Motion made, by leave, and question — That:

- (1) the resolution of the House of 28 May 2019 be amended to extend the reporting date for the Legal and Social Issues Standing Committee’s Inquiry into responses to historical forced adoptions in Victoria to no later than 1 July 2021; and
- (2) the resolution of the House of 1 May 2019 be amended to extend the reporting date for the Economy and Infrastructure Standing Committee’s Inquiry into access to TAFE for learners with disability to no later than 30 September 2021

(Ms Allan) — put and agreed to.

- 8 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 8 December 2020, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(Ms Allan) — put and agreed to.

- 9 **STATEMENTS BY MEMBERS** — Members made statements.

- 10 **CHANGE OR SUPPRESSION (CONVERSION) PRACTICES PROHIBITION BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 10 December 2020.

- 11 **WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (PROVISIONAL PAYMENTS) BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Ms Hennessy made the statement of intention required by s 85(5)(c) of the *Constitution Act 1975*.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 10 December 2020.

- 12 **APPROPRIATION (2020–2021) BILL 2020 AND APPROPRIATION (PARLIAMENT 2020–2021) BILL 2020** — Order read for resuming debate on question — That these Bills be now read a second time; debate resumed.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 24 November 2020.

- 13 **QUESTION TIME** — (Under Sessional Order 9).

- 14 **APPROPRIATION (2020–2021) BILL 2020 AND APPROPRIATION (PARLIAMENT 2020–2021) BILL 2020** — Debate continued on question — That these Bills be now read a second time.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 24 November 2020 had expired.

Question — That these Bills be now read a second time — put and agreed to.

Question — That these Bills be now read a third time — put and agreed to.

Bills sent to the Legislative Council and their agreement requested.

- 15 **STATE TAXATION ACTS AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 23

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Marlene Kairouz.

NOES

Emma Kealy; Russell Northe; Steph Ryan.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.12 pm under the resolution of the House on Tuesday 24 November 2020.

- 17 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.36 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 86, 87 and 88

No 86 — Tuesday 8 December 2020

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 11 December 2020:

A revised order of business

- (1) The order of business is:

Wednesday

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Question time — 1.00 pm

Government business *continued*

Lunch break and cleaning in the Chamber — 2.00 pm to 3.00 pm

Matter of public importance *or* grievance debate — 3.00 pm

Government business *continued*

Thursday

Formal business

Statements by members

Government business

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Question time — 2.00 pm

Government business *continued*

General business.

- (2) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Times of meeting

- (3) Unless otherwise ordered, the House will meet on Wednesday at 10.00 am and Thursday at 9.30 am.

- (4) The Speaker will interrupt business under Sessional Order 2 for the adjournment at 7.00 pm on Tuesday, 7.30 pm on Wednesday and 5.00 pm on Thursday.

Remote participation

- (5) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) members' statements;
 - (iv) statements on parliamentary committee reports;
 - (v) question time — to ask questions only;
 - (vi) grievance debates;
 - (vii) debates on a matter of public importance;
 - (viii) a personal explanation;
 - (ix) adjournment debates — to raise a matter only —
if they are included in the order of business;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;

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- (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;
 - (vii) chair the debate;
- (e) members participating remotely may circulate amendments to bills under SO 64;
- (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
- (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
- (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
- (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
- (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
- (i) the Speaker may issue Guidelines about remote participation.

Other business to be published in Hansard

- (6) Members who are not in attendance on the parliamentary precinct for a sitting day may submit:
- (a) members' statements;
 - (b) statements on parliamentary committee reports;
 - (c) constituency questions; and

- (d) adjournment matters —

for that day by emailing them to the Clerk by the adjournment of the House.

- (7) The Clerk will accept matters up to the number usually given in the House minus any matters verbally given in the House each day, and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (8) The House authorises and requires these matters to be published in Hansard at the point in the proceedings/order of business that the item would have occurred and after any contributions (if any) that have been given in the House:
- (a) subject to the Hansard editorial policy; and
 - (b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Members to incorporate their speeches for bills and motions

- (9) If a member is not in attendance on the parliamentary precinct for a sitting day and they wish to incorporate their speech —
- (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for any substantive motion considered by the House that day, they must email their speech to the Clerk by the adjournment of the House.
- (10) Incorporated speeches will be published in Hansard —
- (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any);
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any).
- (11) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Reduced number of members in the Chamber to assist with physical distancing

- (12) Subject to paragraphs (16) and (17), the Chamber will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members.

-
- (13) Except as provided for in paragraphs (16) and (17), if more members than those listed in paragraph (12) vote in a division, the Clerk will not count their vote.

Quorum

- (14) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (15) If, under paragraph (14) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (12) are suspended until a quorum is formed.
- (16) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (12) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (17) For questions relating to the passage of bills on the government business program, the provisions under paragraph (12) are suspended and divisions will take place as follows:
- (a) members will vote in up to four voting groups;
 - (b) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;

- (v) subject to subparagraph (d), all members except the Chair must then leave the Chamber;
- (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (12), as required;
- (c) subject to subparagraph (d), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
- (d) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
- (e) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (18) If a division has taken place, a member not in attendance for the division can register their opinion on the question:
- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') by no later than one hour after the division has been completed; and
 - (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*

(Ms Allan) — put and agreed to.

3 QUESTION TIME — (Under Sessional Order 9).

- 4 PUBLIC HEALTH AND WELLBEING AMENDMENT (QUARANTINE FEES) BILL 2020** — Ms Neville introduced 'A Bill for an Act to amend the *Public Health and Wellbeing Act 2008* to provide for quarantine fees and for other purposes'; and the Bill was read a first time. In accordance with SO 61(3)(b), the House proceeded immediately to the second reading.

Ms Neville tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (Ms Neville).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (Mr Southwick) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

5 **SUMMARY OFFENCES AMENDMENT (DECRIMINALISATION OF PUBLIC DRUNKENNESS) BILL 2020** — Ms Hennessy introduced ‘A Bill for an Act to amend the *Summary Offences Act 1966* to repeal offences relating to public drunkenness, to make consequential amendments to the *Bail Act 1977* and the *Liquor Control Reform Act 1998* and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2020** — Mr Merlino introduced ‘A Bill for an Act to amend the *Education and Training Reform Act 2006* to further provide for the duties, functions and powers of the Victorian Institute of Teaching in relation to the approval of a program or course of study that leads to qualifying as a teacher, to amend the process for investigating the conduct, competence and fitness to teach of teachers and early childhood teachers, to make amendments in relation to teacher registration, to further provide for the disclosure and collection of information, to amend the Minister’s powers to issue policies, guidelines or directions to the Victorian Institute of Teaching, to make consequential and other minor amendments and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Management of Fire Fuel Loads at Warrandyte State Park — Requesting that the Legislative Assembly ensures fire fuel loads at Warrandyte State Park are cleared prior to the 2020–21 fire season to keep residents safe, bearing 16 signatures (*Mr Smith, Warrandyte*).

Five-Ways Intersection — Requesting that the Legislative Assembly ensures the Government takes urgent steps to ensure the Department of Transport improves the Croydon Road, Brumbys Road, Ringwood-Warrandyte Road and Husseys Lane intersection in Warrandyte South, bearing 15 signatures (*Mr Smith, Warrandyte*).

Petitions ordered to be tabled.

8 **PETITION — MANAGEMENT OF FIRE FUEL LOADS AT WARRANDYTE STATE PARK** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.

9 **PETITION — FIVE-WAYS INTERSECTION** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.

10 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Kilkenny tabled the Alert Digest No 13 of 2020 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2020–2021) Bill 2020

Appropriation (Parliament 2020–2021) Bill 2020

Change or Suppression (Conversion) Practices Prohibition Bill 2020
 State Taxation Acts Amendment Bill 2020
 Workplace Injury Rehabilitation and Compensation Amendment (Provisional Payments) Bill 2020

together with appendices and an extract from the proceedings.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Adult, Community and Further Education Board — Report 2019–20

Interpretation of Legislation Act 1984 — Notices under s 32(4)(a)(iii) in relation to Statutory Rules 96, 105 (*Gazette G43, 29 October 2020*)

Ombudsman — Report 2019–20 (including Annual Plan 2020–21) — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C222
 Colac Otway — C97
 Darebin — C195
 East Gippsland — C160
 Greater Bendigo — C222
 Greater Geelong — C396, C413
 Latrobe — C125
 Manningham — C132
 Melbourne — C370
 Mornington Peninsula — C277
 Port Phillip — C171
 Victoria Planning Provisions — VC180, VC187, VC190

Royal Commission into the Management of Police Informants — Final Report (five documents) — Ordered to be published

Statutory Rules under the following Acts:

Cladding Safety Victoria Act 2020 — SR 133
Legal Profession Uniform Law (Victoria) — SR 131
Public Health and Wellbeing Act 2008 — SR 132
Supreme Court Act 1986 — SR 131
Water Act 1989 — SR 130

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 131, 132

Documents under s 16B in relation to the:

Liquor Control Reform Act 1998 — Orders declaring a designated area (five orders)

Transport (Compliance and Miscellaneous) Act 1983 — Specification of vehicle limits for overdimensional vehicles crossing tracks

Victoria Police, Chief Commissioner — Report 2019–20 under s 148R of the *Liquor Control Reform Act 1998*

Victorian Environmental Assessment Council Act 2001 — Notice of request to the Victorian Environmental Assessment Council for advice on aspects of public land use information under s 26C.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Cladding Safety Victoria Act 2020 — The provisions of that Act other than ss 57A, 57B, 57C, 57D, 57E, 57F and 58A — 1 December 2020; Remaining provisions — 1 February 2021 (*Gazette S624, 1 December 2020*).

Police and Emergency Legislation Amendment Act 2020 — Whole Act other than ss 3 and 4 and Parts 4 and 5 — 2 December 2020 (*Gazette S624, 1 December 2020*).

- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Human Tissue Amendment Bill 2020

Justice Legislation Amendment (Drug Court and Other Matters) Bill 2020

Transport Legislation Amendment Bill 2020.

- 12 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 1 December 2020

Energy Legislation Amendment (Licence Conditions) Bill 2020

Food Amendment Bill 2020

Marine Safety Amendment (Better Boating Fund) Bill 2020

Parks and Crown Land Legislation Amendment Bill 2019

Transport Legislation Amendment Bill 2020

On 8 December 2020

Human Tissue Amendment Bill 2020

Justice Legislation Amendment (Drug Court and Other Matters) Bill 2020.

- 13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Change or Suppression (Conversion) Practices Prohibition Bill 2020
 Public Health and Wellbeing Amendment (Quarantine Fees) Bill 2020
 Workplace Injury Rehabilitation and Compensation Amendment (Provisional Payments) Bill 2020.

14 **ENVIRONMENT AND PLANNING STANDING COMMITTEE** — Motion made, by leave, and question — That Ms Connolly be a member of the Environment and Planning Standing Committee (*Ms Allan*) — put and agreed to.

15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That under SO 94(2):

- (1) the Order of the Day, Government Business, relating to the Public Health and Wellbeing Amendment (Quarantine Fees) Bill 2020 be considered and completed by 5.00 pm on Tuesday 8 December 2020; and
- (2) the Order of the Day, Government Business, relating to the Change or Suppression (Conversion) Practices Prohibition Bill 2020 be considered and completed by 5.00 pm on Thursday 10 December 2020

(*Ms Allan*) — after debate, put.

The House divided (the Deputy Speaker, Ms Edwards, in the Chair) —

AYES 14

Juliana Addison; Jacinta Allan; Josh Bull; Darren Cheeseman; Christine Couzens; Will Fowles; Katie Hall; Dustin Halse; John Kennedy; Frank McGuire; Pauline Richards; Michaela Settle; Suzanna Sheed; Mary-Anne Thomas.

NOES 9

Gary Blackwood; Neale Burgess; Ali Cupper; Emma Kealy; James Newbury; Russell Northe; Danny O'Brien; Brad Rowswell; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Anthony Carbines; Ben Carroll; Sarah Connolly; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; Sonya Kilkenny; Gary Maas; Stephen McGhie; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Richardson; Robin Scott; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES

Brad Battin.

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- 16 **STATEMENTS BY MEMBERS** — Members made statements.
- 17 **POSTPONEMENT OF NOTICE OF MOTION** — Ordered — That the consideration of Government Business, Notice of Motion, No 1, be postponed until after the consideration of the Public Health and Wellbeing Amendment (Quarantine Fees) Bill 2020.
- 18 **PUBLIC HEALTH AND WELLBEING AMENDMENT (QUARANTINE FEES) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Southwick announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of this bill under the resolution of the House today had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **BUDGET PAPERS** — Motion made and question proposed — That this House takes note of the 2020–21 budget papers (*Mr Pearson*) — and, after debate —

Business was interrupted at 7.00 pm under the resolution of the House today.

- 20 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.29 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 87 — Wednesday 9 December 2020

- 1 The House met in accordance with the terms of its resolution on Tuesday 8 December 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Place High Voltage Transmission Lines Underground to Protect Wildlife — Requesting that the Legislative Assembly directs the Western Transmission Network to place the proposed high voltage transmission lines underground to protect the Myrniong Biolink wildlife corridor, bearing 534 signatures (*Ms Settle*)

Mt Gellibrand Fire Tower — Requesting that the Legislative Assembly provides funding for the immediate return to service of the Mt Gellibrand Fire Tower, bearing 991 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

3 **PETITION — PLACE HIGH VOLTAGE TRANSMISSION LINES UNDERGROUND TO PROTECT WILDLIFE** — Motion made and question — That the petition presented by the Member for Buninyong be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

4 **PETITION — MT GELLIBRAND FIRE TOWER** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Sexual Harassment in Local Government — Ordered to be published
Systems and Support for Principal Performance — Ordered to be published

Commission for Children and Young People — Keep caring: Systemic inquiry into services for young people transitioning from out-of-home care — Ordered to be published

Community Visitors — Report 2019–20 — Ordered to be published

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of a State of Emergency

Recreational Fishing Licence Trust Account — Report 2019–20 on the disbursement of revenue

Victorian Fisheries Authority — Report 2019–20

Victorian Ports Corporation (Melbourne) — Report 2019–20.

6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Appropriation (Parliament 2020–2021) Bill 2020
Public Health and Wellbeing Amendment (Quarantine Fees) Bill 2020
State Taxation Acts Amendment Bill 2020.

7 **STATEMENTS BY MEMBERS** — Members made statements.

8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

9 **SUMMARY OFFENCES AMENDMENT (DECRIMINALISATION OF PUBLIC DRUNKENNESS) BILL 2020** — Ms Hennessy tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Britnell*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 23 December 2020.

10 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2020** — Mr Merlino tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 23 December 2020.

11 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2020–21 budget papers; debate resumed.

Business was interrupted at 1.00 pm under the resolution of the House on Tuesday 8 December 2020.

12 **QUESTION TIME** — (Under Sessional Order 9).

13 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2020–21 budget papers.

The sitting was suspended at 2.00 pm then business was interrupted at 3.00 pm under the resolution of the House on Tuesday 8 December 2020.

14 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — ECONOMIC MANAGEMENT OF THE ANDREWS LABOR GOVERNMENT** — The Speaker read Ms Staley’s proposal to the House —

‘That this House expresses deep concern in the funding priorities and economic management of the Andrews Labor Government due to:

- (1) cuts to the Independent Broad-based Anti-corruption Commission, at the same time the commission is actively investigating the actions of the Andrews Labor Government and former and current Labor MPs;
- (2) public concerns from the Victorian Ombudsman about budget funding cuts, at the same time the Ombudsman is actively investigating allegations of human rights breaches, branch stacking and irregularities in awarding grants by the Andrews Labor Government;
- (3) the decision by Standard and Poor’s to double downgrade Victoria’s long-held AAA credit rating;
- (4) no clear repayment plan by the Premier or Treasurer to repay \$155 billion worth of state debt and an annual interest bill of more than \$4 billion.’

Ms Staley addressed the House — Discussion followed.

15 **BUDGET PAPERS** — Debate resumed on question — That this House takes note of the 2020–21 budget papers.

Business was interrupted at 7.30 pm under the resolution of the House on Tuesday 8 December 2020.

16 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.57 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 88 — Thursday 10 December 2020

1 The House met in accordance with the terms of its resolution on Tuesday 8 December 2020 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS**

VICTORIA LAW FOUNDATION — Report 2019–20 tabled by leave (*Ms Hennessy*).

SUSTAINABILITY FUND ACTIVITIES — Report 2019–20 tabled by leave (*Ms D’Ambrosio*).

MOBILE DATA NETWORK PROJECT SUMMARY — Tabled by leave (*Mr Carroll*).

VISIT VICTORIA — Report 2019–20 tabled by leave (*Mr Pakula*).

INTEGRITY AND OVERSIGHT COMMITTEE — Mr McGhie, Chair, tabled a report from the Integrity and Oversight Committee on the Inquiry into the Performance of Victorian Integrity Agencies 2017/18–2018/19, together with an appendix and transcripts of evidence.

Report and appendix ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Accident Compensation Conciliation Service — Report 2019–20

Adult Parole Board — Report 2019–20

Agriculture Victoria Services Pty Ltd — Report 2019–20

Albury Wodonga Health — Report 2019–20

Alexandra Health Service — Report 2019–20

Alfred Health — Report 2019–20

Alpine Health — Report 2019–20

Alpine Resorts Co-ordinating Council — Report 2019–20

Ambulance Victoria — Report 2019–20

Austin Health — Report 2019–20

Australian Criminal Intelligence Commission — Report 2019–20 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Australian Grand Prix Corporation — Report 2019–20

Australian Health Practitioner Regulation Agency — Report 2019–20

Bairnsdale Regional Health Service (BRHS) — Report 2019–20

Ballarat General Cemeteries Trust — Report 2019–20

Ballarat Health Services — Report 2019–20

Barwon Health — Report 2019–20

Barwon Region Water Corporation — Report 2019–20

Bass Coast Health — Report 2019–20

Beaufort and Skipton Health Service — Report 2019–20

Beechworth Health Service — Report 2019–20

Benalla Health — Report 2019–20

Bendigo Health — Report 2019–20

Boort District Health — Report 2019–20

Calvary Health Care Bethlehem Ltd — Report 2019–20

Casterton Memorial Hospital — Report 2019–20

Castlemaine Health — Report 2019–20

Central Gippsland Health Service — Report 2019–20

Central Gippsland Region Water Corporation — Report 2019–20

Central Highlands Region Water Corporation — Report 2019–20

Climate Change Act 2017 — Victorian Greenhouse Gas Emissions Report 2018

Cohuna District Hospital — Report 2019–20

Colac Area Health — Report 2019–20

Coliban Region Water Corporation — Report 2019–20

Commercial Passenger Vehicle Commission — Report 2019–20

Commissioner for Environmental Sustainability Act 2003:

Victorian Government response to the State of the Environment 2018 Report

Victorian Government response to the State of the Yarra and its Parklands 2018 Report

Commission for Children and Young People — Report 2019–20 — Ordered to be published

Confiscation Act 1997 — Asset Confiscation Operations Report 2019–20

Consumer Affairs Victoria — Report 2019–20 — Ordered to be published

Consumer Policy Research Centre — Report 2019–20

Corangamite Catchment Management Authority — Report 2019–20

Coronial Council of Victoria — Report 2019–20

Corryong Health — Report 2019–20

Country Fire Authority (CFA) — Report 2019–20

Dairy Food Safety Victoria — Report 2019–20

Dental Health Services Victoria — Report 2019–20

Disability Services Commissioner — Report 2019–20

Djerriwarrh Health Services — Report 2019–20

East Gippsland Catchment Management Authority — Report 2019–20

East Gippsland Region Water Corporation — Report 2019–20

East Grampians Health Service — Report 2019–20

East Wimmera Health Service — Report 2019–20

Echuca Regional Health — Report 2019–20

Edenhope and District Memorial Hospital — Report 2019–20

Emerald Tourist Railway Board (Puffing Billy Railway) — Report 2019–20

Emergency Services Telecommunications Authority (ESTA) — Report 2019–20

Energy Safe Victoria — Report 2019–20

Environment Protection Authority (EPA) — Report 2019–20

Essential Services Commission — Report 2019–20

Fed Square Pty Ltd — Report 2019–20

Financial Management Act 1994:

Reports from the Minister for Agriculture that she had received the reports 2019–20 of the:
Murray Valley Wine Grape Industry Development Committee
Phytogene Pty Ltd, together with an explanation for the delay
Veterinary Practitioners Registration Board of Victoria

Victorian Strawberry Industry Development Committee
Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2019–20 of the:
Barwon South West Waste and Resource Recovery Group
Commissioner for Environmental Sustainability
Dhelkunya Dja Land Management Board
Loddon Mallee Waste and Resource Recovery Group
North East Waste and Resource Recovery Group
Reports from the Minister for Health that he had received the reports 2019–20 of the:
Bendigo Cemeteries Trust
Mildura Cemetery Trust
Victorian Assisted Reproductive Treatment Authority
Reports from the Minister for Planning that he had received the reports 2019–20 of the:
Architects Registration Board of Victoria
Heritage Council of Victoria
Surveyors Registration Board of Victoria

Forensic Leave Panel — Report 2019

Game Management Authority — Report 2019–20

Geelong Cemeteries Trust — Report 2019–20

Geelong Performing Arts Centre Trust — Report 2019–20

Geoffrey Gardiner Dairy Foundation Ltd — Report 2019–20

Gippsland and Southern Rural Water Corporation — Report 2019–20

Gippsland Southern Health Service — Report 2019–20

Glenelg Hopkins Catchment Management Authority — Report 2019–20

Goulburn Broken Catchment Management Authority — Report 2019–20

Goulburn Valley Health (GV Health) — Report 2019–20

Goulburn Valley Region Water Corporation — Report 2019–20

Grampians Wimmera Mallee Water Corporation — Report 2019–20

Great Ocean Road Health — Report 2019–20

Greater Metropolitan Cemeteries Trust — Report 2019–20

Greyhound Racing Victoria — Report 2019–20

Harness Racing Victoria — Report 2019–20

Health Purchasing Victoria — Report 2019–20

Heathcote Health — Report 2019–20

Hesse Rural Health Service — Report 2019–20

Heywood Rural Health Service — Report 2019–20

Independent Broad-based Anti-corruption Commission — Report 2019–20 under s 30L of the *Surveillance Devices Act 1999*

Infrastructure Victoria — Report 2019–20

Inglewood and Districts Health Service — Report 2019–20

Kardinia Park Stadium Trust — Report 2019–20

Kerang District Health — Report 2019–20

Kilmore and District Hospital — Report 2019–20

Kooweerup Regional Health Service — Report 2019–20

Kyabram District Health Service — Report 2019–20

Labour Hire Licensing Authority — Report 2019–20

Latrobe Regional Hospital — Report 2019–20

Latrobe Valley Mine Rehabilitation Commissioner — Report 2019–20

Legal Practitioners' Liability Committee — Report 2019–20

Legal Services Council and Commissioner for Uniform Legal Services Regulation — Report 2019–20

Lower Murray Urban and Rural Water Corporation — Report 2019–20

Maldon Hospital — Report 2019–20

Mallee Catchment Management Authority — Report 2019–20

Mallee Track Health and Community Service — Report 2019–20

Mansfield District Hospital — Report 2019–20

Maryborough District Health Service — Report 2019–20

Melbourne and Olympic Parks Trust — Report 2019–20

Melbourne Convention and Exhibition Trust — Report 2019–20

Melbourne Market Authority — Report 2019–20

Mental Health Complaints Commissioner — Report 2019–20

Mental Health Tribunal — Report 2019–20

Mercy Hospitals Victoria Ltd — Report 2019–20

Metropolitan Fire and Emergency Services Board (MFB) — Report 2019–20

Moyne Health Services — Report 2019–20

NCN Health (Nathalia Cobram Numurkah) — Report 2019–20

National Health Funding Pool — Victoria State Pool Account, Administrator of — Report 2019–20

National Health Practitioner Ombudsman and Privacy Commissioner — Report 2019–20

National Rail Safety Regulator, Office of the — Report 2019–20

North Central Catchment Management Authority — Report 2019–20

North East Catchment Management Authority — Report 2019–20

North East Region Water Corporation — Report 2019–20

Northeast Health Wangaratta — Report 2019–20

Northern Health — Report 2019–20

Omeo District Health — Report 2019–20

Orbost Regional Health — Report 2019–20

Parks Victoria — Report 2019–20

Peninsula Health — Report 2019–20

Peter MacCallum Cancer Centre — Report 2019–20

Phillip Island Nature Parks — Report 2019–20

Port Phillip and Westernport Catchment Management Authority — Report 2019–20

Portland District Health — Report 2019–20

Post Sentence Authority — Report 2019–20

PrimeSafe — Report 2019–20

Public Advocate, Office of the — Report 2019–20 — Ordered to be published

Public Interest Monitor — Report 2019–20

Queen Elizabeth Centre — Report 2019–20

Residential Tenancies Bond Authority — Report 2019–20

Robinvale District Health Services (RDHS) — Report 2019–20

Rochester and Elmore District Health Service — Report 2019–20

Royal Botanic Gardens Board Victoria — Report 2019–20

Royal Victorian Eye and Ear Hospital — Report 2019–20

Royal Women’s Hospital — Report 2019–20

Rural Northwest Health — Report 2019–20

Seymour Health — Report 2019–20

South Gippsland Hospital — Report 2019–20

South Gippsland Region Water Corporation — Report 2019–20

South West Healthcare — Report 2019–20

Southern Metropolitan Cemeteries Trust — Report 2019–20

St Vincent’s Hospital (Melbourne) Ltd — Report 2019–20

State Electricity Commission of Victoria — Report 2019–20

State Sport Centres Trust — Report 2019–20

State Trustees Ltd — Report 2019–20

Stawell Regional Health — Report 2019–20

Sustainability Victoria — Report 2019–20

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- Swan Hill District Health — Report 2019–20
- Tallangatta Health Service — Report 2019–20
- Terang and Mortlake Health Service — Report 2019–20
- Terrorism (Community Protection) Act 2003* — Review of Act — Stage One Report
- Timboon and District Healthcare Service — Report 2019–20
- Tweddle Child and Family Health Service — Report 2019–20
- V/Line Corporation — Report 2019–20
- VicForests — Report 2019–20
- Victims of Crime Assistance Tribunal — Report 2019–20
- Victims of Crime Commissioner — Report 2019–20
- Victoria Legal Aid — Report 2019–20
- Victoria Police — Report 2019–20 under s 20R of the *Witness Protection Act 1991*
- Victoria State Emergency Service Authority (SES) — Report 2019–20
- Victoria’s Mental Health Services — Report 2019–20
- Victorian Building Authority — Report 2019–20
- Victorian Environmental Assessment Council — Report 2019–20
- Victorian Environmental Water Holder — Report 2019–20
- Victorian Equal Opportunity and Human Rights Commission — Report 2019 on the operation of the Charter of Human Rights and Responsibilities — Ordered to be published
- Victorian Funds Management Corporation — Report 2019–20
- Victorian Health Promotion Foundation — Report 2019–20
- Victorian Inspectorate — Report 1 January to 30 June 2020 under s 30Q of the *Surveillance Devices Act 1999*
- Victorian Institute of Forensic Medicine — Report 2019–20
- Victorian Institute of Forensic Mental Health (Forensicare) — Report 2019–20

Victorian Legal Services Board and the Victorian Legal Services Commissioner — Report 2019–20 — Ordered to be published

Victorian Marine and Coastal Council — Report 2019–20

Victorian Pharmacy Authority — Report 2019–20

Victorian Planning Authority — Report 2019–20

Victorian Plantations Corporation — Report 2019–20

VITS LanguageLoop — Report 2019–20

Wannon Region Water Corporation — Report 2019–20

West Gippsland Catchment Management Authority — Report 2019–20

West Gippsland Healthcare Group — Report 2019–20

West Wimmera Health Service — Report 2019–20

Western District Health Service — Report 2019–20

Western Health — Report 2019–20

Western Region Water Corporation — Report 2019–20

Westernport Region Water Corporation — Report 2019–20

Wimmera Catchment Management Authority — Report 2019–20

Wimmera Health Care Group — Report 2019–20

Yarram and District Health Service — Report 2019–20

Yarrawonga Health — Report 2019–20

Yea and District Memorial Hospital — Report 2019–20

Youth Parole Board — Report 2019–20

Zoological Parks and Gardens Board (Zoos Victoria) — Report 2019–20.

- 3 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 9 December 2020, given the royal assent to the Public Health and Wellbeing Amendment (Quarantine Fees) Bill 2020, presented to her by the Clerk of the Parliaments.

4 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 2 February 2021, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(Mr Pakula) — put and agreed to.

5 **STATEMENTS BY MEMBERS** — Members made statements.

6 **CHANGE OR SUPPRESSION (CONVERSION) PRACTICES PROHIBITION BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Pakula announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words:

‘this House refuses to read this Bill a second time until urgent further consultation is undertaken with all stakeholders and inherent significant issues with the Bill can be addressed and appropriate amendments made, including express clarification of the following specific concerns:

- (1) The rights of children and their parents, particularly in relation to seeking assistance with gender identity and sexual orientation issues including gender dysphoria;
- (2) The legal competence of children/adolescents (under 18) to provide informed consent for gender transitioning hormonal (puberty blocker) drug treatment;
- (3) The rights of individuals to voluntarily seek assistance for gender identity and sexual orientation issues including via pastoral care and faith organisation counselling services;
- (4) The rights of faith organisations to provide such pastoral care and counselling services to individuals who voluntarily seek assistance; and
- (5) The rights of health care professionals to provide assistance and care to individuals who seek help for gender identity or sexual orientation issues’

(Mr Southwick) — and, after debate —

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 8 December 2020.

7 **QUESTION TIME** — (Under Sessional Order 9).

8 **CHANGE OR SUPPRESSION (CONVERSION) PRACTICES PROHIBITION BILL 2020** — Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Allocation of time — The Speaker advised that the time allocated for consideration of this bill under the resolution of the House on Tuesday 8 December 2020 had expired.

Question — That the words proposed to be omitted stand part of the question — put and agreed to.

Question — That this Bill be now read a second time, Government amendment No 1 be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.14 pm under the resolution of the House on Tuesday 8 December 2020.

9 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.44 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 89, 90 and 91

No 89 — Tuesday 2 February 2021

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF DAVID JOHN LEA** — The Speaker announced the death of David John Lea, Member of the Legislative Assembly for the District of Sandringham from 2 March 1985 to 2 October 1992, and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 5 February 2021:

Order of business

- (1) The order of business is:

Wednesday

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Question time — 11.00 am

Government business *continued*

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Matter of public importance *or* grievance debate — 2.00 pm

Government business *continued*

Thursday

Formal business

Statements by members

Government business

Question time — 11.00 am

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Government business *continued*

General business.

- (2) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Times of meeting

- (3) Unless otherwise ordered, the House will meet on Wednesday at 9.35 am and Thursday at 9.35 am.
- (4) The Speaker will interrupt business under Sessional Order 2 for the adjournment at 7.00 pm on Tuesday, 7.00 pm on Wednesday and 5.00 pm on Thursday.

Reduced number of members in the Chamber to assist with physical distancing

- (5) Subject to paragraphs (9) and (10), the House will be composed of the Chair and no more than 56 other members, being 34 from the Government, 17 from the Opposition, two Greens members and three independent members.
- (6) Except as provided for in paragraphs (9) and (10), if more members than those listed in paragraph (5) vote in a division, the Clerk will not count their vote.

Quorum

- (7) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (8) If, under paragraph (7) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (5) are suspended until a quorum is formed.

Divisions

- (9) For questions relating to the passage of bills on the government business program, the provisions of paragraph (5) are suspended and divisions will take place as follows:
 - (a) the Chair will direct that the lower and upper public galleries be cleared;
 - (b) the lower and upper public galleries are included as part of the Legislative Assembly Chamber until the conclusion of the consideration of all items on the government business program;
 - (c) the House will be composed of all members;
 - (d) the Chair and up to 56 members may attend on the floor, up to 15 members may attend in the lower public galleries and up to 16 members may attend in the upper public gallery;
 - (e) the Chair will direct the Clerk to ring the bells for four minutes for the first division and one minute for any subsequent divisions;
 - (f) the Chair will direct that the doors, including the doors to the public galleries, be locked and state the question being voted on;

- (g) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
- (h) the Clerk will count the votes;
- (i) the Chair will announce the result to the House.

Bills requiring an absolute or special majority on third reading

- (10) Where the Chair advises the House that the third reading of a bill requires an absolute or special majority (or both) under the *Constitution Act 1975*, the following procedure will apply:
- (a) the Chair will direct that the lower and upper public galleries be cleared;
 - (b) the lower and upper public galleries are included as part of the Legislative Assembly Chamber until the conclusion of the House's consideration of the bill;
 - (c) the provisions of paragraph (5) are suspended and the House will be composed of all members;
 - (d) the Chair and up to 56 members may attend on the floor, up to 15 members may attend in the lower public galleries and up to 16 members may attend in the upper public gallery;
 - (e) the Chair will ask the Clerk to ring the bells until at least 45 members (if the bill requires an absolute majority) or 53 members (if the bill requires a special majority) are present in the Chamber;
 - (f) the Chair will put the third reading question;
 - (g) if there are voices for the 'noes' and a division called —
 - (i) the division will be conducted in accordance with the provisions of paragraph (9); and
 - (ii) after announcing the number of votes cast for the 'ayes' and 'noes' the Chair will declare if the third reading has passed by an absolute and/or special majority of the whole number of the members of the Legislative Assembly;
 - (h) if there are no voices for the 'noes', the Chair will declare the third reading passed by an absolute and/or special majority of the whole number of the members of the Legislative Assembly

(Ms Allan) — after debate, put and agreed to.

- 4 **QUESTION TIME** — (Under Sessional Order 9).
- 5 **IBAC ACTING DEPUTY COMMISSIONER** — The Speaker advised that, on 27 January 2021, he administered to Kylie Kilgour, the Acting Deputy Commissioner, Independent Broad-based Anti-corruption Commission, the affirmation required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.
- 6 **PLANNING AND ENVIRONMENT AMENDMENT BILL 2021** — Mr Wynne introduced ‘A Bill for an Act to amend the *Planning and Environment Act 1987* and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION) BILL 2021** — Mr Foley introduced ‘A Bill for an Act to amend the *Public Health and Wellbeing Act 2008* in relation to state of emergency declarations in respect of the COVID-19 pandemic and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Blandthorn, Chair, tabled a report from the Public Accounts and Estimates Committee on the Inquiry into the Victorian Government’s response to the COVID-19 pandemic together with appendices, an extract from the proceedings, minority reports and transcripts of evidence.

Report, appendices, extract from the proceedings and minority reports ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 1 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Education and Training Reform Amendment (Miscellaneous) Bill 2020
 Public Health and Wellbeing Amendment (Quarantine Fees) Act 2020
 Summary Offences Amendment (Decriminalisation of Public Drunkenness) Bill 2020

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Australian Criminal Intelligence Commission — Report 2019–20 under s 30L of the *Surveillance Devices Act 1999*

Bendigo Cemeteries Trust — Report 2019–20

COVID-19 Hotel Quarantine Inquiry — Final report and recommendations (two volumes) — Ordered to be published

Judicial Entitlements Act 2015 — Recommendation statement under s 34

Murray-Darling Basin Authority — Report 2019–20

Ombudsman — Investigation into the detention and treatment of public housing residents arising from a COVID-19 ‘hard lockdown’ in July 2020 — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C55

Ararat — GC172

Banyule — C153, GC177

Baw Baw — C131

Boroondara — C305, C318, C330, C334, C338, GC172, GC177, GC178

Brimbank — GC176

Cardinia — C234, C251

Casey — C258

Colac Otway — C107

Darebin — C196

Frankston — C147

Glen Eira — C201, C219, GC172

Glenelg — C105

Greater Bendigo — C232, C245

Greater Geelong — C419, C424, GC172, GC176

Greater Shepparton — GC174

Hume — GC174

Indigo — C74

Knox — GC172, GC178

Latrobe — C129

Manningham — C131, GC177

Mansfield — C46

Maribyrnong — C171

Melbourne — C391, C400, GC172, GC176

Mitchell — GC174

Moonee Valley — C215

Moorabool — C96

Moreland — C167, C200, C211

Murrindindi — C70

Nillumbik — C132, GC177

Port of Melbourne — C2

Queenscliffe — GC172

Southern Grampians — C57

Stonnington — GC177

Strathbogie — GC174

Victoria Planning Provisions — VC188

Wangaratta — C84

Wellington — GC172

Whitehorse — GC172

Whittlesea — C250, C254, C256, GC174, GC176

Yarra — C238, C289, GC177

Project Development and Construction Management Act 1994 — Documents under s 9 in relation to the Public Housing Renewal Program Package 1 Project

Public Health and Wellbeing Act 2008 — Report to Parliament on the extension of the declaration of the State of Emergency — 9th Report

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability — Report on Public hearing 5: Experiences of people with disability during the ongoing COVID-19 pandemic

Statutory rules under the following Acts:

Child Wellbeing and Safety Act 2005 — SR 135/2020

Climate Change Act 2017 — SR 144/2020

Commercial Passenger Vehicle Industry Act 2017 — SR 146/2020

COVID-19 Omnibus (Emergency Measures) Act 2020 — SR 147/2020

Criminal Procedure Act 2009 — SR 134/2020

Dangerous Goods Act 1985 — SR 140/2020

Education and Training Reform Act 2006 — SR 143/2020

Electricity Safety Act 1998 — SR 136/2020

Family Violence Protection Act 2008 — SR 139/2020

National Parks Act 1975 — SR 137/2020

Occupational Health and Safety Act 2004 — SR 141/2020

Public Health and Wellbeing Act 2008 — SRs 149/2020, 1

Residential Tenancies Act 1997 — SR 3

Service Victoria Act 2018 — SR 138/2020

Subordinate Legislation Act 1994 — SR 145/2020

Victorian Energy Efficiency Target Act 2007 — SR 142/2020

Wildlife Act 1975 — SR 148/2020

Worker Screening Act 2020 — SR 2

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 130, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 145, 146, 147, 148/2020, 1, 2

Documents under s 16B in relation to:

Education and Training Reform Act 2006 — Ministerial Order No 1316 — Order Amending Ministerial Order (Constitution of Government School Councils) 2020

Electricity Safety Act 1998 — Electricity Safety Exemptions Order 2020

Road Safety Road Rules 2017 — Code for the Disabled Persons Parking Scheme (Accessible Parking Permit Scheme)

Water Act 1989:

Determination of Objectives to Minimise Salinity Impacts from Irrigation in High Salinity Impact Zones 2021

Determination of Salinity Impact Zones and Salinity Impact Charges 2021

Victoria Police:

Report 2019–20 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Report 2019–20 under s 42BI of the *Evidence (Miscellaneous Provisions) Act 1958*

Victorian Responsible Gambling Foundation — Report 2019–20.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Cladding Safety Victoria Act 2020 — Whole Act (other than ss 57A, 57B, 57C, 57D, 57E, 57F and 58A) — 1 December 2020; remaining provisions — 1 February 2021 (*Gazette S624, 1 December 2020*)

Consumer Legislation Amendment Act 2020 — Part 4 — 1 February 2021 (*Gazette S685, 22 December 2020*)

Parks and Crown Land Legislation Amendment Act 2020 — Part 1, Part 2, Part 3 (except s 30), Part 4 (except ss 32, 33 and 34), Part 5 (except s 49), Part 6 (except s 61), Part 7 (except ss 63, 64, 68, 70, 73, 74, 76, 77, 78, 79, 81, 82(3), 83, 84(3), 109, 110, 111 and 112), Part 8, Part 9 and Part 11 — 15 December 2020 (*Gazette S666, 15 December 2020*)

Police and Emergency Legislation Amendment Act 2020 — Whole Act (other than ss 3 and 4 and Parts 4 and 5) — 2 December 2020 (*Gazette S624, 1 December 2020*)

Project Development and Construction Management Amendment Act 2020 — Whole Act — 22 December 2020 (*Gazette S685, 22 December 2020*)

Residential Tenancies Amendment Act 2018 — Remaining provisions — 29 March 2021 (*Gazette S42, 27 January 2021*)

Worker Screening Act 2020 — Whole Act (other than Division 19 of Part 9.3) — 1 February 2021 (*Gazette S647, 8 December 2020*).

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Appropriation (2020–2021) Bill 2020 without amendment.
- 10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS — APPROPRIATION BILLS** — Informing the Legislative Assembly that she had, on 15 December 2020, given the royal assent to the following bills, presented to her by the Speaker:
- Appropriation (2020–2021) Bill 2020
Appropriation (Parliament 2020–2021) Bill 2020.
- 11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 15 December 2020, given the royal assent to the State Taxation Acts Amendment Bill 2020, presented to her by the Clerk of the Parliaments.
- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 4 February 2021:

Education and Training Reform Amendment (Miscellaneous) Bill 2020
 Summary Offences Amendment (Decriminalisation of Public Drunkenness) Bill 2020
 Workplace Injury Rehabilitation and Compensation Amendment (Provisional Payments) Bill 2020

(Ms Allan) — after debate, put and agreed to.

- 13 **STATEMENTS BY MEMBERS** — Members made statements.
- 14 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.
- 15 **SUMMARY OFFENCES AMENDMENT (DECRIMINALISATION OF PUBLIC DRUNKENNESS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until:

- (1) further consultation is undertaken with primary stakeholders, particularly the Police Association Victoria, Ambulance Victoria and relevant health service providers;
- (2) a comprehensive, fully developed and funded support program to deal with alcohol affected individuals is agreed to by all stakeholders and is established and ready to operate; and
- (3) community safety concerns are addressed including the implementation of alternative police powers to manage public drunkenness’

(Mr Southwick) — and, after debate —

Business was interrupted at 7.00 pm under the resolution of the House today.

- 16 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.34 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 90 — Wednesday 3 February 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 2 February 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of the State of Emergency — 10th Report.

- 3 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Consumer and Other Acts Miscellaneous Amendments Bill 2020
Public Health and Wellbeing Amendment Bill 2020.

- 4 **STATEMENTS BY MEMBERS** — Members made statements.

- 5 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

- 6 **PLANNING AND ENVIRONMENT AMENDMENT BILL 2021** — Mr Wynne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 17 February 2021.

- 7 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION) BILL 2021** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 17 February 2021.

- 8 **WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (PROVISIONAL PAYMENTS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under the resolution of the House on Tuesday 2 February 2021.

- 9 **QUESTION TIME** — (Under Sessional Order 9).

- 10 **WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (PROVISIONAL PAYMENTS) BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Mr Wakeling announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 2 February 2021.

- 11 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 12 **WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (PROVISIONAL PAYMENTS) BILL 2020** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **SUMMARY OFFENCES AMENDMENT (DECRIMINALISATION OF PUBLIC DRUNKENNESS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until — (1) further consultation is undertaken with primary stakeholders, particularly the Police Association Victoria, Ambulance Victoria and relevant health service providers; (2) a comprehensive, fully developed and funded support program to deal with alcohol affected individuals is agreed to by all stakeholders and is established and ready to operate; and (3) community safety concerns are addressed including the implementation of alternative police powers to manage public drunkenness’; debate resumed.

Business was interrupted at 7.00 pm under the resolution of the House on Tuesday 2 February 2021.

- 14 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.31 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 91 — Thursday 4 February 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 2 February 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Proposed Sale of Vasey RSL Care — Requesting that the Legislative Assembly protects Cheltenham’s Vasey RSL Care from proposed sale so that it can continue to provide care and homes for 700 war widows and veterans, bearing 67 signatures (*Mr Richardson*).

Ordered to be tabled.

- 3 **PETITION — PROPOSED SALE OF VASEY RSL CARE** — Motion made and question — That the petition presented by the Member for Mordialloc be taken into consideration tomorrow (*Mr Richardson*) — put and agreed to.

- 4 **DOCUMENTS**

JUDICIAL COLLEGE OF VICTORIA — Report 2019–20 tabled by leave (*Ms Hutchins*).

VICTORIAN GOVERNMENT REPORT 2020 — ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE — Tabled by leave (*Ms Hutchins*).

DOCUMENTS TABLED BY COMMAND OF THE GOVERNOR — The Clerk announced that the following documents had been lodged for presentation by Command of the Governor:

Children’s Court of Victoria — Report 2019–20
County Court of Victoria — Report 2019–20
Magistrates’ Court of Victoria — Report 2019–20

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Coroners Court of Victoria — Report 2019–20

Court Services Victoria — Report 2019–20

Drugs, Poisons and Controlled Substances Act 1981 — Documents under s 12H:

Notice of preparation of amendment to the Poisons Code

Parts of the Commonwealth standard that the Poisons Code incorporates by reference

Judicial Commission of Victoria — Report 2019–20

Public Prosecutions, Office of — Report 2019–20

Sentencing Advisory Council — Report 2019–20

Victoria Police — Report 2019–20 under s 133 of the *Criminal Organisations Control Act 2012*

Victorian Civil and Administrative Tribunal (VCAT) — Report 2019–20

Victorian Equal Opportunity and Human Rights Commission — Report 2019–20 — Ordered to be published

Victorian Law Reform Commission — Report 2019–20 — Ordered to be published

Victorian Professional Standards Councils — Report 2019–20, together with an explanation for the delay.

5 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 16 February 2021, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(*Ms Allan*) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Members made statements.

7 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under the resolution of the House on Tuesday 2 February 2021.

8 **QUESTION TIME** — (Under Sessional Order 9).

9 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

10 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2020–21 budget papers; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 2 February 2021 had expired.

11 **WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (PROVISIONAL PAYMENTS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

12 **SUMMARY OFFENCES AMENDMENT (DECRIMINALISATION OF PUBLIC DRUNKENNESS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until — (1) further consultation is undertaken with primary stakeholders, particularly the Police Association Victoria, Ambulance Victoria and relevant health service providers; (2) a comprehensive, fully developed and funded support program to deal with alcohol affected individuals is agreed to by all stakeholders and is established and ready to operate; and (3) community safety concerns are addressed including the implementation of alternative police powers to manage public drunkenness’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 25

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 25

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.17 pm under the resolution of the House on Tuesday 2 February 2021.

- 14 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.40 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 92, 93 and 94

No 92 — Wednesday 17 February 2021

- 1 The House met in accordance with the terms of its resolution on 4 February 2021, the Speaker having fixed today at 12.00 noon as the time of meeting — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 20 February 2021:

A revised order of business

- (1) The order of business is:

Wednesday

Questions without notice and ministers' statements

Formal business

Government business

General business

Thursday

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Question time — 12.00 noon

Government business *continued*

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Matter of public importance *or* grievance debate — 2.00 pm

Government business *continued*

General business

Friday

Formal business

Statements by members

Government business

Question time — 12.00 noon

Government business *continued*

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Government business *continued*

General business.

- (2) The Chair may order additional breaks to facilitate cleaning in the Chamber.

Times of meeting

- (3) (a) Subject to subparagraph (b), the House will meet on Thursday and Friday at 9.30 am.
- (b) If, in the opinion of the Speaker, a scheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business and set another day and/or hour to meet.
- (c) The Speaker will notify members of any changes to the next sitting date or time.
- (4) The Chair will interrupt business under Sessional Order 2 for the adjournment:
- (a) on Wednesday at 6.00 pm and there will be no adjournment debate in the Chamber;
- (b) on Thursday at 7.00 pm; and
- (c) on Friday at 5.00 pm.

Wednesday sitting arrangements

- (5) The following arrangements will apply for the Wednesday sitting day only:

Remote participation

- (a) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (i) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
- (ii) a member participating remotely is not counted for the purposes of a quorum and may not vote;
- (iii) members may only participate remotely to speak on:
- (A) motions;
- (B) bills, including consideration in detail;
- (C) question time — to ask questions only;

-
- (D) a personal explanation;
 - (iv) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (A) refuse leave;
 - (B) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (C) call the Chair's attention to the state of the House;
 - (D) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (E) move a motion (except an amendment to a motion or bill when they have the call);
 - (F) interject;
 - (G) chair the debate;
 - (v) members participating remotely may circulate amendments to bills under SO 64;
 - (vi) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (A) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (B) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (vii) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (viii) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (A) stopping the clock;
 - (B) returning to a member's contribution;
 - (C) reordering business; and

- (ix) the Speaker may issue Guidelines about remote participation.

Other business to be published in Hansard

- (b) Members may submit:

- (i) members' statements;
- (ii) constituency questions; and
- (iii) adjournment matters —

for Wednesday by emailing them to the Clerk by the adjournment of the House.

- (c) The Clerk will accept matters up to the number usually given in the House and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (d) The House authorises and requires these matters to be published in Hansard at the end of the day's proceedings:
 - (i) subject to the Hansard editorial policy; and
 - (ii) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Members to incorporate their speeches for bills and motions

- (e) If a member is not in attendance on the parliamentary precinct for the sitting day and they wish to incorporate their speech —
 - (i) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (ii) for any substantive motion considered by the House that day, they must email their speech to the Clerk by the adjournment of the House.
- (f) Incorporated speeches will be published in Hansard —
 - (i) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any);
 - (ii) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any).

- (g) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Reduced number of members in the Chamber to assist with physical distancing

- (h) Subject to subparagraph (5)(l), the Chamber will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members.
- (i) Except as provided for in subparagraph (5)(l), if more members than those listed in subparagraph (5)(h) vote in a division, the Clerk will not count their vote.

Quorum

- (j) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (k) If, under subparagraph (5)(j) and SO 29(1), the bells are rung to form a quorum, the provisions under subparagraph (5)(h) are suspended until a quorum is formed.
- (l) If, under SO 29(2), there is found not to be a quorum during a division:
- (i) the provisions under subparagraph (5)(h) are suspended;
 - (ii) the bells must be rung for a further four minutes;
 - (iii) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (iv) if more members than those listed in subparagraph (5)(l)(iii) vote in the division, the Clerk will not count their vote.

Register of opinion on division questions

- (m) If a division has taken place, a member not in attendance for the division can register their opinion on the question:
- (i) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') by no later than one hour after the division has been completed; and
 - (ii) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*.

Thursday and Friday sitting arrangements

- (6) The following arrangements will be in place for the Thursday and Friday sitting days only:

Reduced number of members in the Chamber to assist with physical distancing

- (a) Subject to subparagraphs (6)(e) and (f), the House will be composed of the Chair and no more than 56 other members, being 34 from the Government, 17 from the Opposition, two Greens members and three independent members.
- (b) Except as provided for in subparagraphs (6)(e) and (f), if more members than those listed in subparagraph (6)(a) vote in a division, the Clerk will not count their vote.

Quorum

- (c) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (d) If, under subparagraph (6)(c) and SO 29(1), the bells are rung to form a quorum, the provisions under subparagraph (6)(a) are suspended until a quorum is formed.

Divisions

- (e) For questions relating to the passage of bills on the government business program, the provisions of subparagraph (6)(a) are suspended and divisions will take place as follows:
- (i) the Chair will direct that the lower and upper public galleries be cleared;
 - (ii) the lower and upper public galleries are included as part of the Legislative Assembly Chamber until the conclusion of the consideration of all items on the government business program;
 - (iii) the House will be composed of all members;
 - (iv) the Chair and up to 56 members may attend on the floor, up to 15 members may attend in the lower public galleries and up to 16 members may attend in the upper public gallery;
 - (v) the Chair will direct the Clerk to ring the bells for four minutes for the first division and one minute for any subsequent divisions;
 - (vi) the Chair will direct that the doors, including the doors to the public galleries, be locked and state the question being voted on;

- (vii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
- (viii) the Clerk will count the votes;
- (ix) the Chair will announce the result to the House.

Bills requiring an absolute or special majority on third reading

- (f) Where the Chair advises the House that the third reading of a bill requires an absolute or special majority (or both) under the *Constitution Act 1975*, the following procedure will apply:
 - (i) the Chair will direct that the lower and upper public galleries be cleared;
 - (ii) the lower and upper public galleries are included as part of the Legislative Assembly Chamber until the conclusion of the House's consideration of the bill;
 - (iii) the provisions of subparagraph (6)(a) are suspended and the House will be composed of all members;
 - (iv) the Chair and up to 56 members may attend on the floor, up to 15 members may attend in the lower public galleries and up to 16 members may attend in the upper public gallery;
 - (v) the Chair will ask the Clerk to ring the bells until at least 45 members (if the bill requires an absolute majority) or 53 members (if the bill requires a special majority) are present in the Chamber;
 - (vi) the Chair will put the third reading question;
 - (vii) if there are voices for the 'noes' and a division called —
 - (A) the division will be conducted in accordance with the provisions of subparagraph (6)(e); and
 - (B) after announcing the number of votes cast for the 'ayes' and 'noes' the Chair will declare if the third reading has passed by an absolute and/or special majority of the whole number of the members of the Legislative Assembly;
 - (viii) if there are no voices for the 'noes', the Chair will declare the third reading passed by an absolute and/or special majority of the whole number of the members of the Legislative Assembly

(Ms Allan) — put and agreed to.

- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under the resolution of the House today).
- 4 **INDUSTRIAL RELATIONS LEGISLATION AMENDMENT BILL 2021** — Mr Pallas introduced '*A Bill for an Act to amend the **Child Employment Act 2003**, the **Construction Industry Long Service Leave Act 1997**, the **Equal Opportunity Act 2010**, the **Inquiries Act 2014**, the **Labour Hire Licensing Act 2018**, the **Long Service Benefits Portability Act 2018**, the **Long Service Leave Act 2018** and the **Owner Drivers and Forestry Contractors Act 2005** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **JUSTICE LEGISLATION AMENDMENT (SYSTEM ENHANCEMENTS AND OTHER MATTERS) BILL 2021** — Ms Horne introduced '*A Bill for an Act to amend various courts, integrity entities and justice Acts to provide for the on-going operation of certain processes and procedures implemented during the COVID-19 pandemic, to amend the **Independent Broad-based Anti-corruption Commission Act 2011** to provide for the on-going operation of certain processes and procedures implemented during the COVID-19 pandemic and to provide for Deputy Commissioners to be examiners, to amend the **Fines Reform Act 2014** in relation to time served and fines, to extend the default commencement and repeal dates of the **Justice Legislation Amendment (Criminal Appeals) Act 2019**, to consequentially amend the **Interpretation of Legislation Act 1984**, to extend the operation of certain provisions relating to the COVID-19 pandemic in various Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Aussie Farms** — Requesting that the Legislative Assembly addresses the urgent need for stronger protection of law abiding farmers by revoking Aussie Farms' status as a charitable organisation, shutting down the Aussie Farms website and legislating stronger legal protections to appropriately penalise aggressive protesters and trespassers, bearing 32 signatures (*Mr O'Brien, Gippsland South*).
- Rebuild Port Welshpool Marine Search and Rescue** — Requesting that the Legislative Assembly calls on the Government to provide funding to rebuild the Port Welshpool Marine Search and Rescue base, bearing 29 signatures (*Mr O'Brien, Gippsland South*).
- Improve Central Gippsland's drug and alcohol services** — Requesting that the Legislative Assembly calls on the Government to provide the people of Central Gippsland with improved drug and alcohol counselling, referral and rehabilitation services, bearing 231 signatures (*Mr O'Brien, Gippsland South*).
- Staff for the new medical centre in Yarram** — Requesting that the Legislative Assembly assists the management board of the new medical centre in Yarram in its duty of care to the community to recruit and employ a team of doctors, bearing 315 signatures (*Mr O'Brien, Gippsland South*).

Agnes Falls Cantilevered Platform — Requesting that the Legislative Assembly urges the Government to provide funding to Parks Victoria for the construction of a cantilevered viewing platform at Agnes Falls, bearing 40 signatures (*Mr O'Brien, Gippsland South*).

Petitions ordered to be tabled.

- 7 **PETITION — AUSSIE FARMS** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 8 **PETITION — REBUILD PORT WELSHPOOL MARINE SEARCH AND RESCUE** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 9 **PETITION — IMPROVE CENTRAL GIPPSLAND'S DRUG AND ALCOHOL SERVICES** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 10 **PETITION — STAFF FOR THE NEW MEDICAL CENTRE IN YARRAM** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 11 **PETITION — AGNES FALLS CANTILEVERED PLATFORM** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

12 **DOCUMENTS**

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Grants to the Migrant Workers Centre — Ordered to be published

Financial Management Act 1994 — Report from the Attorney-General that she had received the Report 2019–20 of the Judicial College of Victoria

Interpretation of Legislation Act 1984:

Notices under s 32(3)(a)(iii) in relation to Statutory Rules 140, 141/2020 (*Gazette G5, 4 February 2021*)

Notice under s 32(4)(a)(iii) in relation to Statutory Rule 135/2019 (*Gazette G3, 21 January 2021*)

Ombudsman — Investigation of protected disclosure complaints regarding the former Principal of a Victorian public school — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Electoral Matters Committee's Report on the Inquiry into the conduct of the 2018 Victorian State election

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C168, C178
 Brimbank — C213
 Buloke — C39
 Corangamite — C48
 Greater Bendigo — C257
 Greater Geelong — C401
 Melton — C207
 Moreland — C199
 Mount Alexander — C92
 Queenscliffe — C30
 Southern Grampians — C55
 Stonnington — C272
 Wyndham — C254
 Yarra — C245

Statutory rules under the following Acts:

Conservation, Forests and Lands Act 1987 — SR 6
Owner Drivers and Forestry Contractors Act 2005 — SR 4
Professional Engineers Registration Act 2019 — SR 5

Subordinate Legislation Act 1994 — Documents under s15 in relation to Statutory Rules 144/2020, 3, 4, 5, 6.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 2 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Change or Suppression (Conversion) Practices Prohibition Bill 2020
 COVID-19 Omnibus (Emergency Measures) Act 2020
 North East Link Act 2020
 Planning and Environment Amendment Bill 2021
 Public Health and Wellbeing Amendment (State of Emergency Extension) Bill 2021

together with appendices.

Ordered to be published.

13 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Change or Suppression (Conversion) Practices Prohibition Bill 2020
 Workplace Injury Rehabilitation and Compensation Amendment (Provisional Payments) Bill 2020.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Owners Corporations and Other Acts Amendment Bill 2019 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 15 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

On 9 February 2021

Consumer and Other Acts Miscellaneous Amendments Bill 2020

Public Health and Wellbeing Amendment Bill 2020

On 16 February 2021

Change or Suppression (Conversion) Practices Prohibition Bill 2020.

- 16 **COMMITTEE RESIGNATIONS** — The Speaker announced that he had received the resignation of Ms Connolly from the Economy and Infrastructure Standing Committee, effective from today and the resignation of Ms Kilkenny from the Scrutiny of Acts and Regulations Committee, effective from today.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Friday 19 February 2021:

Constitution Amendment (Fracking Ban) Bill 2020

Public Health and Wellbeing Amendment (State of Emergency Extension) Bill 2021

Spent Convictions Bill 2020

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 14

Jacinta Allan; Anthony Carbines; Ben Carroll; Darren Cheeseman; Jordan Crugnale; Paul Edbrooke; Will Fowles; Gary Maas; Martin Pakula; Tim Pallas; Suzanna Sheed; Ros Spence; Mary-Anne Thomas; Gabrielle Williams.

NOES 7

Neil Angus; Brad Battin; Gary Blackwood; James Newbury; Danny O’Brien; David Southwick; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Sarah Connolly; Christine Couzens; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Stephen McGhie; Frank McGuire; James Merlino; Danny Pearson; Pauline Richards; Robin Scott; Michaela Settle; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Richard Wynne.

NOES

Brad Rowswell.

- 18 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.
- 19 **SPENT CONVICTIONS BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Southwick announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Dr Read announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **CONSTITUTION AMENDMENT (FRACKING BAN) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 6.00 pm under the resolution of the House today.

- 21 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 6.00 pm.

No 93 — Thursday 18 February 2021

1 The House met in accordance with the terms of its resolution on Wednesday 17 February 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Family Violence Protection Act 2008 — Report 2019–20 on the implementation of the Family Violence Risk Assessment and Management Framework

Financial Management Act 1994 — Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2019–20 of the:

Gippsland Waste and Resource Recovery Group (Resource Recovery Gippsland)
Goulburn Valley Waste and Resource Recovery Group

Metropolitan Waste and Resource Recovery Group — Report 2019–20

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 149/2020.

3 **ECONOMY AND INFRASTRUCTURE STANDING COMMITTEE** — Motion made, by leave, and question — That Ms Couzens be a member of the Economy and Infrastructure Standing Committee (*Ms Allan*) — put and agreed to.

4 **STATEMENTS BY MEMBERS** — Members made statements.

5 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

6 **INDUSTRIAL RELATIONS LEGISLATION AMENDMENT BILL 2021** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for thirteen days. Debate adjourned until Wednesday 3 March 2021.

- 7 **JUSTICE LEGISLATION AMENDMENT (SYSTEM ENHANCEMENTS AND OTHER MATTERS) BILL 2021** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for thirteen days. Debate adjourned until Wednesday 3 March 2021.

- 8 **OWNERS CORPORATIONS AND OTHER ACTS AMENDMENT BILL 2019** — Order read for the consideration of the amendments made by the Legislative Council.

The amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 9 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 12.00 noon under the resolution of the House on Wednesday 17 February 2021.

- 10 **QUESTION TIME** — (Under Sessional Order 9).

- 11 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION) BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Mr O'Brien (Malvern) announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Wednesday 17 February 2021.

- 12 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — INVESTMENT IN TRANSPORT INFRASTRUCTURE** — The Speaker read Ms Ward's proposal to the House —

'That this House notes the Andrews Labor Government's record investment in transport infrastructure in Victoria and notes that the Big Build will:

- (1) revolutionise how Victorians move around the State with over 119 road and rail projects;
- (2) create thousands of direct jobs and thousands more in the supply chain;
- (3) stimulate the economy with an unprecedented pipeline of major projects;
- (4) connect Melbourne’s growing outer suburbs via the Suburban Rail Loop;
- (5) connect Victorians to Melbourne Airport by rail for the first time; and
- (6) deliver faster rail services to Geelong, supporting growth in Victoria’s regions.’

Ms Ward addressed the House — Discussion followed.

- 13 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION) BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under the resolution of the House on Wednesday 17 February 2021.

- 14 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.34 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 94 — Friday 19 February 2021

- 1 The House met in accordance with the terms of its resolution on Wednesday 17 February 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Municipal Association of Victoria — Report 2019–20

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee’s Report on the 2017–18 and 2018–19 Financial and Performance Outcomes

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — GC175
Alpine Resorts — GC175
Ararat — GC175
Ballarat — GC175
Banyule — GC175
Bass Coast — GC175
Baw Baw — GC175
Bayside — GC175
Benalla — GC175
Boroondara — GC175
Brimbank — GC175
Buloke — GC175
Campaspe — GC175
Cardinia — C249, GC175
Casey — GC175
Central Goldfields — GC175
Colac Otway — GC175
Corangamite — GC175
Darebin — GC175
East Gippsland — GC175
Frankston — GC175
French Island and Sandstone Island — GC175
Gannawarra — GC175
Glen Eira — GC175
Glenelg — GC175
Golden Plains — GC175
Greater Bendigo — GC175
Greater Dandenong — GC175
Greater Geelong — GC175
Greater Shepparton — GC175
Hepburn — GC175
Hindmarsh — GC175
Hobsons Bay — GC175
Horsham — GC175
Hume — GC175
Indigo — GC175
Kingston — GC175
Knox — GC175
Latrobe — GC175
Loddon — GC175
Macedon Ranges — GC175
Manningham — GC175
Mansfield — GC175
Maribyrnong — GC175
Maroondah — GC175

Melbourne — GC175
Melton — GC175
Mildura — GC175
Mitchell — GC175
Moirā — GC175
Monash — GC175
Moonee Valley — GC175
Moorabool — GC175
Moreland — GC175
Mornington Peninsula — GC175
Mount Alexander — GC175
Moyne — GC175
Murrindindi — GC175
Nillumbik — GC175
Northern Grampians — GC175
Port of Melbourne — GC175
Port Phillip — GC175
Pyrenees — GC175
Queenscliffe — GC175
South Gippsland — GC175
Southern Grampians — GC175
Stonnington — GC175
Strathbogie — GC175
Surf Coast — GC175
Swan Hill — GC175
Towong — GC175
Wangaratta — GC175
Warrnambool — GC175
Wellington — GC175
West Wimmera — GC175
Whitehorse — GC175
Whittlesea — GC175
Wodonga — GC175
Wyndham — GC175
Yarra — GC175
Yarra Ranges — GC175
Yarriambiack — GC175

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 8, 9.

3 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 2 March 2021, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the

Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.

- (3) The Speaker will notify members of any changes to the next sitting date

(Ms Allan) — put and agreed to.

4 **STATEMENTS BY MEMBERS** — Members made statements.

5 **SPECIAL SITTING OF THE HOUSE** — Motion made and question proposed — That:

- (1) So much of standing and sessional orders are suspended on Tuesday 2 March 2021 so as to allow:
- (a) the Speaker to take the Chair at 10.00 am and the House to proceed in accordance with subparagraphs (b) to (l);
 - (b) a specified area determined by the Speaker at the Royal Exhibition Building, Melbourne to be deemed to be the floor of the Chamber until the suspension of the sitting under subparagraph (j);
 - (c) Legislative Council members to be admitted to the Chamber;
 - (d) the House to invite to attend on the floor of the House all Commissioners of the Royal Commission into Victoria's Mental Health System and Chair of the Expert Advisory Panel of the Royal Commission into Victoria's Mental Health System Professor Patrick McGorry AO;
 - (e) the Speaker to make welcoming remarks;
 - (f) the Chair of the Royal Commission Penny Armytage AM and Professor Patrick McGorry AO to address the House;
 - (g) the Premier and Leader of the Opposition to make responses of up to 10 minutes each;
 - (h) the Minister for Mental Health and one shadow minister to make responses of up to five minutes;
 - (i) the Speaker to make closing remarks;
 - (j) the sitting to be suspended for three hours and all visitors to leave the Chamber;
 - (k) when the sitting resumes, the order of business as set out in SO 36 to apply; and
 - (l) a minister to move a motion to take note of the addresses.
- (2) The Legislative Assembly invites members of the Legislative Council to attend an Assembly sitting at the Royal Exhibition Building, Melbourne on Tuesday 2 March 2021 at 10.00 am to hear addresses by the Chair of the Royal Commission into Victoria's

Mental Health System Penny Armytage AM and Professor Patrick McGorry AO, and a message be sent to the Legislative Council informing them accordingly

(Mr Merlino) — and, after debate —

Amendments proposed — That:

- (1) in subparagraph (1)(d), omit ‘and Chair of the Expert Advisory Panel of the Royal Commission into Victoria’s Mental Health System Professor Patrick McGorry AO’ and insert ‘, Chair of the Expert Advisory Panel of the Royal Commission into Victoria’s Mental Health System Professor Patrick McGorry AO and two members of the Victorian community with lived experience of mental illness whose names will be provided to the Speaker at least one day in advance and the Speaker to advise all members accordingly’;
- (2) after subparagraph (1)(e), insert the words ‘(ea) the Clerk to table the Royal Commission into Victoria’s Mental Health System’s report under the *Inquiries Act 2014*’;
- (3) in subparagraph (1)(f), omit ‘and Professor Patrick McGorry AO’ and insert ‘, Professor Patrick McGorry AO and the members of the Victorian community with lived experience of mental illness’; and
- (4) in paragraph (2) omit ‘and Professor Patrick McGorry AO’ and insert ‘, Professor Patrick McGorry AO and members of the Victorian community with lived experience of mental illness’

(Ms Thomas) — and, after debate —

Question — That the amendments be agreed to — put and agreed to.

Question — That the motion as amended be agreed to — put and agreed to.

Message sent to the Legislative Council informing them of the resolution.

- 6 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 12.00 noon under the resolution of the House on Wednesday 17 February 2021.

- 7 **QUESTION TIME** — (Under Sessional Order 9).

- 8 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION) BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 9 **CONSTITUTION AMENDMENT (FRACKING BAN) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pearson*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **SPENT CONVICTIONS BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 17 February 2021 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 56

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 23

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 56

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 23

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill read a third time with the concurrence of a special majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 11 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 55

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 24

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Neale Burgess; Ali Cupper; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **CONSTITUTION AMENDMENT (FRACKING BAN) BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of a special majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.15 pm under the resolution of the House on Wednesday 17 February 2021.

- 13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.42 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 95, 96 and 97

No 95 — Tuesday 2 March 2021

- 1 The House met at the Royal Exhibition Building at Nicholson Street, Carlton, in accordance with the Proclamation of the Governor and the terms of its resolution on Friday 19 February 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **VISITORS** — In accordance with the resolution of the House on Friday 19 February 2021 Ms Penny Armytage AM, Professor Alan Fels AM, Dr Alex Cockram, Professor Bernadette McSherry, Professor Patrick McGorry AO, Ms Amelia Morris, Mr Alistair Gabb and members of the Legislative Council were present on the floor of the House.
- 3 The Speaker made welcoming remarks and informed the House that the Governor had issued the following Proclamation:

CONSTITUTION ACT 1975

PROCLAMATION

I, Linda Dessau AC, Governor of Victoria, acting under section 8 of the *Constitution Act 1975* and all other powers vested in me:

- (i) vary and alter the place for the despatch of business of the Legislative Assembly on 2 March 2021 and fix the Royal Exhibition Building at Nicholson Street, Carlton, until the completion of business agreed to occur at the Royal Exhibition Building by the resolution of the Legislative Assembly on 19 February 2021; and
- (ii) confirm that once the Legislative Assembly has completed the business agreed to occur at the Royal Exhibition Building by the resolution of the Legislative Assembly on 19 February 2021, the despatch of business of the Legislative Assembly will revert to Parliament House, Melbourne.

Given under my hand and the seal of Victoria at Melbourne, this 25th day of February 2021.

(LS)

THE HONOURABLE LINDA DESSAU AC
Governor

By Her Excellency's Command
THE HONOURABLE DANIEL ANDREWS MP
Premier of Victoria

- 4 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:

Royal Commission into Victoria’s Mental Health System — Final Report (six volumes) — Ordered to be published.

- 5 **ADDRESSES BY VISITORS** — The Chair of the Royal Commission Penny Armytage AM, Professor Patrick McGorry AO, Ms Amelia Morris and Mr Alistair Gabb addressed the House.

- 6 **RESPONSES** — The Premier, the Leader of the Opposition, the Minister for Mental Health and the Member for Lowan made responses.

- 7 **CLOSING REMARKS** — The Speaker made closing remarks and visitors withdrew from the floor of the House.

[The Speaker left the Chair at 11.31 am and resumed it at Parliament House, Melbourne at 2.31 pm under the resolution of the House on Friday 19 February 2021]

- 8 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 5 March 2021:

Order of business

- (1) The order of business is:

Wednesday

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Question time — 11.00 am

Government business *continued*

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Matter of public importance *or* grievance debate — 2.00 pm

Government business *continued*

Thursday

Formal business

Statements by members

Government business

Question time — 11.00 am

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Government business *continued*

General business.

- (2) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Times of meeting

- (3) Unless otherwise ordered, the House will meet on Wednesday at 9.30 am and Thursday at 9.30 am.
- (4) The Speaker will interrupt business under Sessional Order 2 for the adjournment on Tuesday at 8.00 pm, on Wednesday at 7.00 pm and on Thursday at 5.00 pm.

Reduced number of members in the Chamber to assist with physical distancing

- (5) Subject to paragraphs (9) and (10), the House will be composed of the Chair and no more than 56 other members, being 34 from the Government, 17 from the Opposition, two Greens members and three independent members.
- (6) Except as provided for in paragraphs (9) and (10), if more members than those listed in paragraph (5) vote in a division, the Clerk will not count their vote.

Quorum

- (7) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (8) If, under paragraph (7) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (5) are suspended until a quorum is formed.

Divisions

- (9) For questions relating to the passage of bills on the government business program, the provisions of paragraph (5) are suspended and divisions will take place as follows:
 - (a) the Chair will direct that the lower and upper public galleries be cleared;
 - (b) the lower and upper public galleries are included as part of the Legislative Assembly Chamber until the conclusion of the consideration of all items on the government business program;
 - (c) the House will be composed of all members;
 - (d) the Chair and up to 56 members may attend on the floor, up to 15 members may attend in the lower public galleries and up to 16 members may attend in the upper public gallery;
 - (e) the Chair will direct the Clerk to ring the bells for four minutes for the first division and one minute for any subsequent divisions;
 - (f) the Chair will direct that the doors, including the doors to the public galleries, be locked and state the question being voted on;

- (g) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
- (h) the Clerk will count the votes; and
- (i) the Chair will announce the result to the House.

Bills requiring an absolute or special majority on third reading

- (10) Where the Chair advises the House that the third reading of a bill requires an absolute or special majority (or both) under the *Constitution Act 1975*, the following procedure will apply:
- (a) the Chair will direct that the lower and upper public galleries be cleared;
 - (b) the lower and upper public galleries are included as part of the Legislative Assembly Chamber until the conclusion of the House's consideration of the bill;
 - (c) the provisions of paragraph (5) are suspended and the House will be composed of all members;
 - (d) the Chair and up to 56 members may attend on the floor, up to 15 members may attend in the lower public galleries and up to 16 members may attend in the upper public gallery;
 - (e) the Chair will ask the Clerk to ring the bells until at least 45 members (if the bill requires an absolute majority) or 53 members (if the bill requires a special majority) are present in the Chamber;
 - (f) the Chair will put the third reading question;
 - (g) if there are voices for the 'noes' and a division is called —
 - (i) the division will be conducted in accordance with the provisions of paragraph (9); and
 - (ii) after announcing the number of votes cast for the 'ayes' and 'noes' the Chair will declare whether the third reading has passed by an absolute and/or special majority of the whole number of the members of the Legislative Assembly;
 - (h) if there are no voices for the 'noes', the Chair will declare the third reading passed by an absolute and/or special majority of the whole number of the members of the Legislative Assembly

(Ms Allan) — put and agreed to.

10 **CEMETERIES AND CREMATORIA AMENDMENT BILL 2021** — Mr Foley introduced ‘A Bill for an Act to amend the **Cemeteries and Crematoria Act 2003** to protect affected persons against harm, pain and suffering that may be caused as a result of the exercise of rights of interment by or in favour of certain persons, to make various related amendments to that Act and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

11 **WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (ARBITRATION) BILL 2021** — Ms Horne introduced ‘A Bill for an Act to amend the **Workplace Injury Rehabilitation and Compensation Act 2013** and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 3 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Act 2020

Industrial Relations Legislation Amendment Bill 2021

Justice Legislation Amendment (System Enhancements and Other Matters) Bill 2021

Planning and Environment Amendment Bill 2021

Spent Convictions Bill 2020

State Taxation Acts Amendment Act 2020

SR No 107 — COVID-19 Omnibus (Emergency Measures) (Commercial Leases and Licences)

Miscellaneous Amendments Regulations 2020

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Australian Children’s Education and Care Quality Authority — Report 2019–20

Commissioner for Environmental Sustainability Victoria — Strategic Audit: Implementation of environmental management systems in Victorian Government 2019–20

Family Violence Protection Act 2008 — Evaluation of the Amendment to s 31 of the Act — Family Violence Safety Notices

National Education and Care Services Freedom of Information and Privacy Commissioners and Ombudsman — Report 2019–20

Planning and Environment Act 1987:

Infrastructure and Development Contribution Levies — Report 2019–20

Notices of approval of amendments to the following Planning Schemes:

Glen Eira — C222

Greater Geelong — C366

Melton — C216, C226

Moyne — C73

Victoria Planning Provisions — V10

Statutory Rules under the following Acts:

Occupational Health and Safety Act 2004 — SR 8

Subordinate Legislation Act 1994 — SR 7

Victims of Crime Assistance Act 1996 — SR 9

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 7

Victorian Independent Remuneration Tribunal — Members of Parliament (Victoria) Guidelines No 1/2021

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice (*Gazette S69, 12 February 2021*).

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Summary Offences Amendment (Decriminalisation of Public Drunkenness) Bill 2020 without amendment.
- 14 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

On 23 February 2021

Owners Corporations and Other Acts Amendment Bill 2019

Workplace Injury Rehabilitation and Compensation Amendment (Provisional Payments) Bill 2020

On 2 March 2021

Summary Offences Amendment (Decriminalisation of Public Drunkenness) Bill 2020.

- 15 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Industrial Relations Legislation Amendment Bill 2021.
- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 4 March 2021:

Drugs, Poisons and Controlled Substances Amendment Bill 2020

Justice Legislation Amendment (System Enhancements and Other Matters) Bill 2021

Planning and Environment Amendment Bill 2021

(*Ms Allan*) — after debate, put and agreed to.

- 17 **STATEMENTS BY MEMBERS** — Members made statements.
- 18 **PLANNING AND ENVIRONMENT AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this Bill be withdrawn and redrafted to address concerns about the potential tax liability for landowners resulting from the recovery of costs for precinct structure planning whilst still providing for the heritage measures in the Bill’ (*Mr Smith, Kew*) — and, after debate —

Business was interrupted at 8.00 pm under the resolution of the House today.

- 19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 8.25 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 96 — Wednesday 3 March 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 2 March 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Weekend Bus Service between Cape Paterson and Wonthaggi — Requesting that the Legislative Assembly reviews local public transport needs and extends the bus service from Cape Paterson to Wonthaggi to provide weekend services, bearing 397 signatures (*Ms Crugnale*)

Unused VicTrack Land in Stanhope — Requesting that the Legislative Assembly subdivides unused VicTrack land in Stanhope, to extend the Rail Trail from Stanhope to Rushworth and sell sections for development, bearing 160 signatures (*Ms Ryan*).

Petitions ordered to be tabled.

- 3 **PETITION — WEEKEND BUS SERVICE BETWEEN CAPE PATERSON AND WONTHAGGI** — Motion made and question — That the petition presented by the Member for Bass be taken into consideration tomorrow (*Ms Crugnale*) — put and agreed to.

- 4 **PETITION — UNUSED VICTRACK LAND IN STANHOPE** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.

5 **DOCUMENTS**

LEGAL AND SOCIAL ISSUES STANDING COMMITTEE — Ms Suleyman, Chair, tabled a report from the Legal and Social Issues Standing Committee on the Inquiry into anti-vilification protections, together with appendices and transcripts of evidence.

Report and appendices ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Duties Act 2000 — Report 1 July to 31 December 2020 of Foreign Purchaser Additional Duty Exemptions under s 3E

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's interim report on the Inquiry into the Victorian Government's Response to the COVID-19 Pandemic

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of a State of Emergency — 11th Report

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Service Victoria Act 2018* — Service Victoria Identity Verification Standards

Voluntary Assisted Dying Review Board — Report of operations July to December 2020.

- 6 **STATEMENTS BY MEMBERS** — Members made statements.
- 7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.
- 8 **POSTPONEMENT OF NOTICE OF MOTION** — Ordered — That the consideration of Government Business, Notice of Motion, No 1 be postponed until later this day.
- 9 **CEMETERIES AND CREMATORIA AMENDMENT BILL 2021** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 17 March 2021.

- 10 **WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (ARBITRATION) BILL 2021** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 17 March 2021.

- 11 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under the resolution of the House on Tuesday 2 March 2021.

- 12 **QUESTION TIME** — (Under Sessional Order 9).

- 13 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2020** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Public Health and Wellbeing Amendment (State of Emergency Extension) Bill 2021 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 15 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION) BILL 2021** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Mr Foley*) — and, after debate —

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 2 March 2021.

16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT PRESIDING OVER AN INCREASING APPEARANCE OF CORRUPTION** — The Speaker read Ms Ryan’s proposal to the House —

‘That this House notes the Andrews Labor Government is presiding over an increasing appearance of corruption noting:

- (1) favourable treatment of Crown following Lloyd Williams’ endorsement of the now Premier in 2014;
- (2) scandalous acceptance of Transurban’s unsolicited West Gate Tunnel proposal, noting the links between the Treasurer’s office and Transurban, and the special regulatory deals put in place to advantage the consortium building the project;
- (3) the special relationship of the Premier with Lindsay Fox and the firms associated with the Fox family and concerns over whether or not the Premier will recuse himself from decisions relating to the Fox family;
- (4) prioritising Trades Hall and associated entities ahead of Victorians, including for grant payments which were then used to campaign against political opponents;
- (5) failures by the Government to publish basic and expected costings and project spending updates on Victorian infrastructure projects and the risk that such secrecy gives rise to corrupt payments and cost overruns; and
- (6) decisions by Government to starve key integrity agencies of the funds they need to investigate corruption within a tired Labor Government that at the next election will have been in power for 19 of the past 23 years.’

Ms Ryan addressed the House — Discussion followed.

17 **PUBLIC HEALTH AND WELLBEING AMENDMENT (STATE OF EMERGENCY EXTENSION) BILL 2021** — Debate continued on question — That the amendments be agreed to.

Motion made and question — That the question be now put (*Mr Cheeseman*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 37

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; John Eren; Martin Foley; Will Fowles; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Jill Hennessy; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Martin Pakula; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Natalie Suleyman; Meng Heang Tak; Vicki Ward; Gabrielle Williams.

NOES 18

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Ali Cupper; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; Danny O'Brien; Michael O'Brien; Ryan Smith; Tim Smith; Louise Staley; Bill Tilley; Bridget Vallence; Peter Walsh; Kim Wells.

Question agreed to.

Original question — accordingly put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 18 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under the resolution of the House on Tuesday 2 March 2021.

- 19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.35 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 97 — Thursday 4 March 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 2 March 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:

Financial Management Act 1994 — Report from the Minister for Energy, Environment and Climate Change that she had received the Report 2019–20 of the Caulfield Racecourse Reserve Trust.

- 3 **ELECTORAL MATTERS COMMITTEE** — The Speaker announced that he had received the resignation of Ms Blandthorn from the Electoral Matters Committee, effective from 3 March 2021.

- 4 **SITTING OF THE HOUSE** — Motion made and question — That:

(1) The House, at its rising, adjourns until Tuesday 16 March 2021, or an earlier day and hour to be fixed by the Speaker.

(2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.

(3) The Speaker will notify members of any changes to the next sitting date

(Ms Allan) — put and agreed to.

5 **STATEMENTS BY MEMBERS** — Members made statements.

6 **POSTPONEMENT OF NOTICE OF MOTION** — Ordered — That the consideration of Government Business, Notice of Motion, No 1 be postponed until later this day.

7 **JUSTICE LEGISLATION AMENDMENT (SYSTEM ENHANCEMENTS AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under the resolution of the House on Tuesday 2 March 2021.

8 **QUESTION TIME** — (Under Sessional Order 9).

9 **JUSTICE LEGISLATION AMENDMENT (SYSTEM ENHANCEMENTS AND OTHER MATTERS) BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned *(Mr Cheeseman)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

10 **ADDRESSES ON ROYAL COMMISSION INTO VICTORIA'S MENTAL HEALTH SYSTEM** — Motion made and question proposed — That this House takes note of the addresses given at the special sitting at the Royal Exhibition Building on 2 March 2021 for the presentation of the Final Report of the Royal Commission into Victoria's Mental Health System *(Mr Merlino)* — and, after debate —

Motion made and question — That the debate be now adjourned *(Mr Cheeseman)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

11 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Mr Wynne)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **PLANNING AND ENVIRONMENT AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this Bill be withdrawn and redrafted to address concerns about the potential tax liability for landowners resulting from the recovery of costs for precinct structure planning whilst still providing for the heritage measures in the Bill’; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 2 March 2021 had expired.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 53

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 25

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **JUSTICE LEGISLATION AMENDMENT (SYSTEM ENHANCEMENTS AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2020** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.10 pm under the resolution of the House on Tuesday 2 March 2021.

- 15 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.37 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 98, 99 and 100

No 98 — Tuesday 16 March 2021

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 19 March 2021:

Cleaning of the Chamber

- (1) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Reduced number of members in the Chamber to assist with physical distancing

- (2) Subject to paragraph (6), the House will be composed of the Chair and no more than 56 other members, being 34 from the Government, 17 from the Opposition, two Greens members and three independent members.
- (3) Except as provided for in paragraph (6), if more members than those listed in paragraph (2) vote in a division, the Clerk will not count their vote.

Quorum

- (4) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (5) If, under paragraph (4) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (2) are suspended until a quorum is formed.

Divisions

- (6) For questions relating to the passage of bills on the government business program, the provisions of paragraph (2) are suspended and divisions will take place as follows:
 - (a) the Chair will direct that the lower and upper public galleries be cleared;
 - (b) the lower and upper public galleries are included as part of the Legislative Assembly Chamber until the conclusion of the consideration of all items on the government business program;

- (c) the House will be composed of all members;
- (d) the Chair and up to 56 members may attend on the floor, up to 15 members may attend in the lower public galleries and up to 16 members may attend in the upper public gallery;
- (e) the Chair will direct the Clerk to ring the bells for four minutes for the first division and one minute for any subsequent divisions;
- (f) the Chair will direct that the doors, including the doors to the public galleries, be locked and state the question being voted on;
- (g) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
- (h) the Clerk will count the votes; and
- (i) the Chair will announce the result to the House

(Ms Allan) — put and agreed to.

3 **QUESTION TIME** — (Under Sessional Order 9).

4 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (CROSS-BOUNDARY GREENHOUSE GAS TITLES AND OTHER MATTERS) AMENDMENT BILL 2021** — Mr Pallas introduced 'A Bill for an Act to amend the *Offshore Petroleum and Greenhouse Gas Storage Act 2010* to provide for cross-boundary greenhouse gas storage, to amend the *Pipelines Act 2005* and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **TRANSPORT LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2021** — Mr Carroll introduced 'A Bill for an Act to amend the *Bus Safety Act 2009*, the *Commercial Passenger Vehicle Industry Act 2017*, the *Road Management Act 2004*, the *Road Safety Act 1986*, the *Transport Integration Act 2010*, the *Transport Legislation Amendment Act 2020*, the *Victorian Fisheries Authority Act 2016* and to make related and miscellaneous amendments to other Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **NON-EMERGENCY PATIENT TRANSPORT AMENDMENT BILL 2021** — Mr Foley introduced 'A Bill for an Act to amend the *Non-Emergency Patient Transport Act 2003* to introduce a licensing scheme for first aid operators, to make further provision for the regulation of non-emergency patient transport to and from medical services and to make consequential and related amendments to other Acts'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 4 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Cemeteries and Crematoria Amendment Bill 2021
Workplace Injury Rehabilitation and Compensation Amendment (Arbitration) Bill 2021
Public Health and Wellbeing Amendment (State of Emergency Extension) Act 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Clarke Road Streamside Reserve
Order under s 17D granting a lease over Princes Park Reserve

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Electricity Safety Exemptions Order 2020 (*Gazette G7, 18 February 2021*)
Statutory Rules 136/2020 (*Gazette G7, 18 February 2021*), 3 (*Gazette G9, 4 March 2021*)

Financial Management Act 1994 — 2020–21 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2020

Health Complaints Act 2016 — Review of the operation of the Act under s 157

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C284 Part 1, C294 Part 2, C306, C349
Greater Bendigo — C267
Moorabool — C98
Port Phillip — C190
Victoria Planning Provisions — VC195

Statutory Rule under the *COVID-19 Omnibus (Emergency Measures) Act 2020* — SR 10

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 11, 12, 13
Documents under s 16B in relation to the Drugs, Poisons and Controlled Substances Regulations 2017:
Secretary Approval Nurse Immunisers — SARS-COV-2 (COVID-19) Vaccine

Secretary Approval Pharmacist Immuniser — SARS-COV-2 (COVID-19) Vaccine.

PROCLAMATION — Under Standing Order 177A, the Clerk tabled the following proclamation fixing operative dates:

Consumer and Other Acts Miscellaneous Amendments Act 2021 — Whole Act other than ss 1(e)(iii), 82 and 86 and Division 2 of Part 7 — 10 March 2021; s 82 and Division 2 of Part 7 — 29 March 2021 (*Gazette S110, 10 March 2021*).

8 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Constitution Amendment (Fracking Ban) Bill 2020
Education and Training Reform Amendment Bill 2020.

9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 10 March 2021, given the royal assent to the Public Health and Wellbeing Amendment (State of Emergency Extension) Bill 2021, presented to her by the Acting Clerk of the Legislative Council for and in the absence of the Clerk of the Parliaments.

10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, today, given the royal assent to the following bills, presented to her by the Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

Constitution Amendment (Fracking Ban) Bill 2020
Education and Training Reform Amendment Bill 2020.

11 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Workplace Injury Rehabilitation and Compensation Amendment (Arbitration) Bill 2021.

12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 18 March 2021:

Cemeteries and Crematoria Amendment Bill 2021
Industrial Relations Legislation Amendment Bill 2021
Workplace Injury Rehabilitation and Compensation Amendment (Arbitration) Bill 2021

(Ms Allan) — after debate, put and agreed to.

13 **STATEMENTS BY MEMBERS** — Members made statements.

14 **INDUSTRIAL RELATIONS LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Ms Thomas)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Education and Training Reform Amendment (Miscellaneous) Bill 2020
Justice Legislation Amendment (System Enhancements and Other Matters) Bill 2021.

- 16 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2020–21 budget papers; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.25 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 99 — Wednesday 17 March 2021

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **ZERO AND LOW EMISSION VEHICLE DISTANCE-BASED CHARGE BILL 2021** — Mr Pallas introduced ‘*A Bill for an Act to require registered operators of zero and low emission vehicles to pay a charge for use of the vehicles on certain roads and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Maintaining Local Roads — Ordered to be published
Results of 2019–20 Audits: State-controlled Entities — Ordered to be published
Results of 2019–20 Audits: Local Government — Ordered to be published

Border Groundwaters Agreement Review Committee — Report 2019–20

Ombudsman — Outsourcing of parking fine internal reviews — a follow-up report — Ordered to be published

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of a State of Emergency — 12th Report

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR 13

Service Victoria Act 2018 — SRs 11, 12

Water Act 1989 — SR 14

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 10.

- 4 **STATEMENTS BY MEMBERS** — Members made statements.
- 5 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.
- 6 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (CROSS-BOUNDARY GREENHOUSE GAS TITLES AND OTHER MATTERS) AMENDMENT BILL 2021** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 31 March 2021.

- 7 **TRANSPORT LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2021** — Mr Carroll tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Carroll*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 31 March 2021.

- 8 **NON-EMERGENCY PATIENT TRANSPORT AMENDMENT BILL 2021** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 31 March 2021.

- 9 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2020–21 budget papers; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

- 10 **QUESTION TIME** — (Under Sessional Order 9).

- 11 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2020–21 budget papers.

Business was interrupted at 2.00 pm under sessional orders.

- 12 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 13 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2020–21 budget papers.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (ARBITRATION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 15 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.31 pm.

No 100 — Thursday 18 March 2021

1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS**

METRO TUNNEL — TUNNEL AND STATIONS PUBLIC PRIVATE PARTNERSHIP: PROJECT SUMMARY ADDENDUM — Tabled by leave (*Ms Allan*).

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR — The Clerk announced that the following document had been lodged for presentation by Command of the Governor:

Supreme Court of Victoria — Report 2019–20.

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Reducing the Harm Caused by Gambling — Ordered to be published

Service Victoria — Digital Delivery of Government Services — Ordered to be published

Child Wellbeing and Safety Act 2005 — Child Information Sharing Scheme Two Year Review under s 41ZN

Drinking Water Quality in Victoria Report 2019–20

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2019–20 of the:

Grampians Central West Waste and Resource Recovery Group

Gunaikurnai Traditional Owner Land Management Board

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by Members of the Legislative Assembly — Ordinary Returns 28 February 2021 (two volumes) — Ordered to be published

National Environment Protection Council — Report 2018–19

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 14

Trust for Nature — Report 2019–20.

3 **PRIVILEGES COMMITTEE** — Motion made, by leave, and question — That Ms Neville be discharged from the Privileges Committee and that Mr Carroll be a member in her place (*Ms Allan*) — put and agreed to.

4 **SITTING OF THE HOUSE** — Motion made and question — That:

(1) The House, at its rising, adjourns until Tuesday 4 May 2021, or an earlier day and hour to be fixed by the Speaker.

(2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.

(3) The Speaker will notify members of any changes to the next sitting date

(*Ms Allan*) — put and agreed to.

5 **STATEMENTS BY MEMBERS** — Members made statements.

6 **ZERO AND LOW EMISSION VEHICLE DISTANCE-BASED CHARGE BILL 2021** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 1 April 2021.

7 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2020–21 budget papers; debate resumed.

Business was interrupted at 11.00 am under sessional orders.

8 **QUESTION TIME** — (Under Sessional Order 9).

9 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2020–21 budget papers.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **CEMETERIES AND CREMATORIA AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (ARBITRATION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 16 March 2021 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **INDUSTRIAL RELATIONS LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **CEMETERIES AND CREMATORIA AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 14 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 101, 102 and 103

No 101 — Tuesday 4 May 2021

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **ADDRESS TO HER MAJESTY THE QUEEN** — Motion made, by leave, and question — That:

(1) The following resolution be agreed to by this House:

HER MAJESTY THE QUEEN:

We, the Legislative Assembly of Victoria, in Parliament assembled, express our sympathy with Your Majesty and members of the Royal Family, in your sorrow at the death of His Royal Highness The Duke of Edinburgh. We acknowledge and pay tribute to his many years of service, and his devoted support of his family.

(2) The following Address to the Governor be agreed to by this House:

GOVERNOR:

We, the Members of the Legislative Assembly of Victoria, in Parliament assembled, respectfully request that you communicate the accompanying resolution to Her Majesty the Queen

(Mr Merlino) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.

3 **QUESTION TIME** — (Under Sessional Order 9).

4 **EDUCATION AND TRAINING REFORM AMENDMENT (PROTECTION OF SCHOOL COMMUNITIES) BILL 2021** — Mr Merlino introduced '*A Bill for an Act to amend the **Education and Training Reform Act 2006** to provide for orders prohibiting or regulating certain conduct on school premises and school-related places and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING TAX) BILL 2021** — Mr Pallas introduced '*A Bill for an Act to amend the **Gambling Regulation Act 2003** to increase the rate of wagering and betting tax and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 6 **CHILD WELLBEING AND SAFETY (CHILD SAFE STANDARDS COMPLIANCE AND ENFORCEMENT) AMENDMENT BILL 2021** — Mr Donnellan introduced ‘A Bill for an Act to amend the *Child Wellbeing and Safety Act 2005* and the *Education and Training Reform Act 2006* to provide for compliance with the Child Safe Standards and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **DOCUMENTS**

UNIVERSITY OF DIVINITY — Report 2020 tabled by leave (*Ms Allan*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 5 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Non-Emergency Patient Transport Amendment Bill 2021
 Offshore Petroleum and Greenhouse Gas Storage (Cross-boundary Greenhouse Gas Titles and Other Matters) Amendment Bill 2021
 Transport Legislation Miscellaneous Amendments Bill 2021
 Zero and Low Emission Vehicle Distance-based Charge Bill 2021
 Order in Council — Revision of Animal Welfare Codes of Practice

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Bendigo Kangan Institute — Report 2020

Box Hill Institute — Report 2020

Chisholm Institute — Report 2020

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over University Square Reserve

Deakin University — Report 2020

Federation University Australia — Report 2020

GOTEC Ltd (The Gordon) — Report 2020

Goulburn Ovens Institute of TAFE (GOTAFE) — Report 2020

Holmesglen Institute — Report 2020

Independent Broad-based Anti-corruption Commission:
 Annual Plan 2020–21

Operation Meroo: An investigation into alleged corrupt conduct by a former CEO of a Victorian regional health service — Ordered to be published

La Trobe University — Report 2020

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Melbourne Polytechnic — Report 2020

Monash University — Report 2020

Ombudsman — Investigation into the Department of Jobs, Precincts and Regions' administration of the Business Support Fund — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C228

Brimbank — C200 Part 2

Casey — C230, C279

Central Goldfields — C36

Glen Eira — C155

Golden Plains — C87

Greater Dandenong — C203

Hepburn — C85

Hume — C248, C254

Latrobe — C124

Melbourne — C305, C378

Melton — C190, C227

Mildura — C108, C109

Moreland — C203, C210

Port Phillip — C161 Part 1, C177, C186, C200

Victoria Planning Provisions — VC185, VC194, VC197

Wellington — C111

Public Accounts and Estimates Committee — Report on the 2020–21 Budget Estimates, together with appendices, minority report and transcripts of evidence — Report, appendices and minority report ordered to be published

Public Health and Wellbeing Act 2008:

Report to Parliament on the Extension of the Declaration of a State of Emergency — 10th Report (*replacement for copy tabled on Wednesday 3 February 2021*)

Report to Parliament on the Extension of the Declaration of a State of Emergency — 13th Report

Royal Melbourne Institute of Technology (RMIT) — Report 2020

South West Institute of TAFE — Report 2020

Statutory Rules under the following Acts:

Child Wellbeing and Safety Act 2005 — SR 30
Children, Youth and Families Act 2005 — SR 22
City of Melbourne Act 2001 — SR 34
Conservation, Forests and Lands Act 1987 — SR 32
County Court Act 1958 — SR 28
COVID-19 Omnibus (Emergency Measures) Act 2020 — SR 19
Dangerous Goods Act 1985 — SR 27
Disability Service Safeguards Act 2018 — SR 40
Education and Training Reform Act 2006 — SRs 24, 25
Electronic Transactions (Victoria) Act 2000 — SR 38
Evidence (Miscellaneous Provisions) Act 1958 — SR 39
First Home Owner Grant Act 2000 — SR 31
Local Government Act 2020 — SRs 33, 34
Magistrates' Court Act 1989 — SRs 23, 41
Powers of Attorney Act 2014 — SR 37
Public Health and Wellbeing Act 2008 — SR 15
Public Interest Monitor Act 2011 — SR 29
Residential Tenancies Act 1997 — SRs 20, 21
Road Safety Act 1986 — SRs 35, 36
Service Victoria Act 2018 — SR 26
Supreme Court Act 1986 — SRs 16, 17
Victorian Civil and Administrative Tribunal Act 1998 — SR 18

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 41

Documents under s 16B in relation to:

Financial Management Act 1994 — Order to declare a class of entities as specified entities
Road Safety Act 1986 — Notice under s 96A — Suspension of regulation 13(1)(a) of the Road Safety (Drivers) Regulations 2019

Sunraysia Institute of TAFE (SuniTAFE) — Report 2020

Swinburne University of Technology — Report 2020

TAFE Gippsland — Report 2020

University of Melbourne — Report 2020

Victoria University — Report 2020

William Angliss Institute of TAFE — Report 2020

Wodonga Institute of TAFE — Report 2020.

DOCUMENTS TABLED UNDER STANDING ORDERS — Under standing orders the Clerk tabled the following documents:

Government response to the Economy and Infrastructure Standing Committee's Report on the Inquiry into sustainable employment for disadvantaged jobseekers

Government response to the Legal and Social Issues Standing Committee's Report on the Inquiry into early childhood engagement of culturally and linguistically diverse communities

Proclamations fixing operative dates:

Education and Training Reform Amendment (Regulation of Student Accommodation) Act 2020 — Remaining provisions — 18 June 2021 (*Gazette S152, 30 March 2021*)

Environment Protection Amendment Act 2018 — Remaining provisions — 1 July 2021 (*Gazette S124, 16 March 2021*)

Parks and Crown Land Legislation Amendment Act 2020 — Remaining provisions of Parts 3, 6 and 7 and Part 10 — 1 May 2021 (*Gazette S189, 27 April 2021*)

Police and Emergency Legislation Amendment Act 2020 — Sections 3 and 4 — 7 April 2021 (*Gazette S152, 30 March 2021*)

Transport Legislation Amendment Act 2020 — Sections 5, 7, 32(1), 32(3), 32(4), 33, 34, 38, 39, 40, 41, 42, 45, 49 and 50 — 1 April 2021 (*Gazette S152, 30 March 2021*).

8 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Industrial Relations Legislation Amendment Bill 2021

Planning and Environment Amendment Bill 2021

Spent Convictions Bill 2020.

9 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 23 March 2021, given the royal assent to the following bills, presented to her by the Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

Education and Training Reform Amendment (Miscellaneous) Bill 2020

Justice Legislation Amendment (System Enhancements and Other Matters) Bill 2021

Planning and Environment Amendment Bill 2021.

10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 30 March 2021, given the royal assent to the Spent Convictions Bill 2020, presented to her by the Clerk of the Parliaments.

11 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Transport Legislation Miscellaneous Amendments Bill 2021

Zero and Low Emission Vehicle Distance-based Charge Bill 2021.

12 **COMMITTEE RESIGNATIONS** — The Speaker announced that he had received the resignation of Ms Vallence from the Public Accounts and Estimates Committee, effective from today and the resignation of Mrs McArthur from the Scrutiny of Acts and Regulations Committee, effective from 3 May 2021.

13 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:

- (1) Mr Newbury be a member of the Public Accounts and Estimates Committee;
- (2) Mr Rowswell be discharged from the Economy and Infrastructure Standing Committee and Mr Wakeling be a member in his place; and
- (3) Mr Smith (*Kew*) be discharged from the Environment and Planning Standing Committee and Ms Vallence be a member in his place

(*Ms Allan*) — put and agreed to.

14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 6 May 2021:

Non-Emergency Patient Transport Amendment Bill 2021
 Transport Legislation Miscellaneous Amendments Bill 2021
 Zero and Low Emission Vehicle Distance-based Charge Bill 2021

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 29

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

15 **STATEMENTS BY MEMBERS** — Members made statements.

- 16 **ZERO AND LOW EMISSION VEHICLE DISTANCE-BASED CHARGE BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 4 inclusive, be postponed until later this day.

- 18 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2020–21 budget papers; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.26 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 102 — Wednesday 5 May 2021

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Implementing a New Infringements Management System — Ordered to be published

Financial Management Act 1994 — Report from the Minister for Energy, Environment and Climate Change that she had not received the reports 2020–21 of the:

Falls Creek Alpine Resort Management Board

Mount Buller and Mount Stirling Alpine Resort Management Board

Mount Hotham Alpine Resort Management Board

Southern Alpine Resort Management Board —
together with an explanation for the delay

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 32, 39, 40.

3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Workplace Injury Rehabilitation and Compensation Amendment (Arbitration) Bill 2021 without amendment.

4 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended on Thursday 20 May 2021 to allow:

(1) The order of business to be:

Question time
Formal business
Statements by members
Government business.

(2) The Speaker to interrupt business under Sessional Order 2 at 7.00 pm

(Ms Allan) — put and agreed to.

5 **STATEMENTS BY MEMBERS** — Members made statements.

6 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

7 **EDUCATION AND TRAINING REFORM AMENDMENT (PROTECTION OF SCHOOL COMMUNITIES) BILL 2021** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time *(Mr Pallas)*.

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned *(Mr Hodgett)* — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 19 May 2021.

8 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING TAX) BILL 2021** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time *(Mr Pallas)*.

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned *(Ms McLeish)* — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 19 May 2021.

- 9 **CHILD WELLBEING AND SAFETY (CHILD SAFE STANDARDS COMPLIANCE AND ENFORCEMENT) AMENDMENT BILL 2021** — Mr Donnellan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 19 May 2021.

- 10 **TRANSPORT LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Ms Ryan announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Business was interrupted at 11.00 am under sessional orders.

- 11 **QUESTION TIME** — (Under Sessional Order 9).

- 12 **TRANSPORT LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 13 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIA'S CLIMATE CHANGE STRATEGY** — The Speaker read Ms D'Ambrosio's proposal to the House —

'That this House notes Victoria's nation-leading climate change strategy that will reduce emissions, create jobs, cut energy costs, and protect our environment, noting specifically that:

- (1) taking action on climate change will create tens of thousands of jobs, while seeing Victoria play our part in cutting carbon emissions;
- (2) Victoria's targets give businesses the certainty they need for future investment decisions that will create new jobs, while reducing the impact on our environment;
- (3) Victoria's six 'sector pledges' will deliver targeted reform and investment to help our industries transition to a cleaner future; and

(4) the Victorian Government is leading by example, transitioning all Government operations to 100 per cent renewable energy by 2025.’

Ms D’Ambrosio addressed the House — Discussion followed.

14 **TRANSPORT LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

15 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 103 — Thursday 6 May 2021

1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Indoor multi-purpose facility for Kerrimuir Primary School — Requesting that the Legislative Assembly calls on the Government to fund the building of an indoor multi-purpose facility at Kerrimuir Primary School, bearing 593 signatures (*Mr Hamer*)

Protected footpath and cyclist path on Telegraph Bridge — Requesting that the Legislative Assembly approves funding for the installation of a wider, protected footpath and cyclist path on the northern side of the Telegraph Bridge on Church Street, Geelong West, bearing 584 signatures (*Mr Eren*)

Former Presbyterian Church of Rokewood — Requesting that the Legislative Assembly supports the compulsory acquisition of the former Presbyterian Church of Rokewood, retaining it as a historic place of worship and a community asset, bearing 74 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

3 **PETITION — INDOOR MULTI-PURPOSE FACILITY FOR KERRIMUIR PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Box Hill be taken into consideration tomorrow (*Mr Hamer*) — put and agreed to.

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- 4 **PETITION — FORMER PRESBYTERIAN CHURCH OF ROKEWOOD** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.
- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:
- Family Violence Reform Implementation Monitor — Report 1 November 2020 — Ordered to be published
- Independent Broad-based Anti-corruption Commission — Report 2019–20 under s 31 of the *Crimes (Assumed Identities) Act 2004*
- Land Tax Act 2005* — Report 1 July to 31 December 2020 of Land Tax Absentee Owner Surcharge Exemptions under s 3BB.
- 6 **SITTING OF THE HOUSE** — Motion made and question — That:
- (1) The House, at its rising, adjourns until Thursday 20 May 2021 at 12.00 noon, or an earlier day and hour to be fixed by the Speaker.
 - (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
 - (3) The Speaker will notify members of any changes to the next sitting date
- (*Ms Allan*) — put and agreed to.
- 7 **STATEMENTS BY MEMBERS** — Members made statements.
- 8 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 1 and 2, be postponed until later this day.
- 9 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2020–21 budget papers; and, after debate, put and agreed to.
- 10 **NON-EMERGENCY PATIENT TRANSPORT AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business was interrupted at 11.00 am under sessional orders.*
- 11 **QUESTION TIME** — (Under Sessional Order 9).
- 12 **NON-EMERGENCY PATIENT TRANSPORT AMENDMENT BILL 2021** — Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 4 May 2021 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **TRANSPORT LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **ZERO AND LOW EMISSION VEHICLE DISTANCE-BASED CHARGE BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Juliana Addison; Jacinta Allan; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Gary Maas; Stephen McGhie; Frank McGuire; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 25

Neil Angus; Brad Battin; Gary Blackwood; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Tim Read; Richard Riordan; Brad Rowswell; Ellen Sandell; Ryan Smith; Tim Smith; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **NON-EMERGENCY PATIENT TRANSPORT AMENDMENT BILL 2021** — The Speaker announced that he had received a report from the Clerk that, under SO 81, she has made the following corrections in the Bill:

In clause 33, page 76, line 24, she has deleted ‘2020’ and inserted ‘2021’.

In clause 33, page 77, line 5, she has deleted '2020' and inserted '2021'.

Business was interrupted at 5.07 pm under sessional orders.

- 16 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.31 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

No 104

No 104 — Thursday 20 May 2021

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF FRANCIS PATRICK SHEEHAN OAM** — The Speaker announced the death of Francis Patrick Sheehan OAM, Member of the Legislative Assembly for the District of Ballarat South from 3 April 1982 to 2 October 1992; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTION TIME** — (Under Sessional Order 9).
- 4 **STATE TAXATION AND MENTAL HEALTH ACTS AMENDMENT BILL 2021** — Mr Pallas introduced ‘A Bill for an Act to amend the *Duties Act 2000*, the *First Home Owner Grant Act 2000*, the *Land Tax Act 2005*, the *Mental Health Act 2014* and the *Payroll Tax Act 2007* and to make consequential amendments to other Acts and for other purposes’; and the Bill was read a first time and, by leave, ordered to be read a second time later this day.

5 **DOCUMENTS**

BUDGET PAPERS 2021–22 —

Budget Paper No 1 — Treasurer’s Speech
Budget Paper No 4 — State Capital Program
Budget Overview
Budget Information Paper — Rural and Regional
Budget Information Paper — Suburban
Budget Information Paper — Gender Equality Budget Statement

tabled by leave (*Mr Pallas*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Financial Management Act 1994:

2021–22 Budget Paper No 2 — Strategy and Outlook
2021–22 Budget Paper No 3 — Service Delivery
2021–22 Budget Paper No 5 — Statement of Finances (incorporating Quarterly Financial Report No 3)

Ombudsman — Investigation into how local councils respond to ratepayers in financial hardship — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Buloke — C42
 Casey — C207 Part 1
 East Gippsland — C151
 Golden Plains — C95
 Greater Bendigo — C265
 Greater Geelong — C395, C410, C430
 Greater Shepparton — C230
 Hobsons Bay — C130
 Loddon — C42
 Manningham — C130
 Mitchell — C139
 Nillumbik — C134
 Pyrenees — C48
 Victoria Planning Provisions — VC198
 Wodonga — C132
 Yarra — C223

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of the State of Emergency — 14th Report

State Owned Enterprises Act 1992 — Constitution of Breakthrough Victoria Pty Ltd under s 75

Statutory Rules under the following Acts:

Public Health and Wellbeing Act 2008 — SR 43
Surveillance Devices Act 1999 — SR 42

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 42, 43, 46

Documents under s 16B in relation to:

Drugs, Poisons and Controlled Substances Act 1981 — Secretary Approval Pharmacist Immuniser — SARS-COV-2 (COVID-19) Vaccine

Education and Training Reform Act 2006:

Ministerial Order No 1324 — Amending Ministerial Order No 870 — Child Safe Standards — Managing the Risk of Abuse in Schools

Ministerial Order No 1325 — Amending Ministerial Order No 706 — Anaphylaxis Management in Victorian Schools

Great Ocean Road and Environs Protection Act 2020 — Declaration of Great Ocean Road Coast and Parks

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice No 2 (*Gazette G18, 6 May 2021*).

- 6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Cemeteries and Crematoria Amendment Bill 2021
Drugs, Poisons and Controlled Substances Amendment Bill 2020.

- 7 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 11 May 2021
Industrial Relations Legislation Amendment Bill 2021
Workplace Injury Rehabilitation and Compensation Amendment (Arbitration) Bill 2021

On 18 May 2021
Cemeteries and Crematoria Amendment Bill 2021
Drugs, Poisons and Controlled Substances Amendment Bill 2020.

- 8 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Bill 2021
Gambling Regulation Amendment (Wagering and Betting Tax) Bill 2021.

- 9 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (2021–2022) Bill 2021, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2021/2022.

Estimates ordered to be tabled.

- 10 **APPROPRIATION (2021–2022) BILL 2021** — Mr Pallas introduced ‘*A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2021/2022 and for other purposes*’; and the Bill was read a first time. In accordance with SO 61(3)(a), the House proceeded immediately to the second reading.

Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow. Debate adjourned until Friday 21 May 2021.

- 11 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2021–2022) Bill 2021, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2021/2022.

Estimates ordered to be tabled.

- 12 **APPROPRIATION (PARLIAMENT 2021–2022) BILL 2021** — Ms Allan introduced ‘*A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2021/2022 and for other purposes*’; and the Bill was read a first time. In accordance with SO 61(3)(a), the House proceeded immediately to the second reading.

Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned until the next day of sitting. Debate adjourned until Tuesday 25 May 2021.

- 13 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:

- (1) Mr Smith (*Warrantyte*) be a member of the Scrutiny of Acts and Regulations Committee; and
- (2) Mr Newbury be discharged from the Legal and Social Issues Standing Committee and Mr Battin be a member in his place

(*Ms Allan*) — put and agreed to.

- 14 **EXTENSION TO COMMITTEE REPORTING DATE** — Motion made, by leave, and question — That the reporting date for the Environment and Planning Standing Committee’s Inquiry into Environmental Infrastructure for Growing Populations be extended to no later than 30 September 2021 (*Ms Allan*) — put and agreed to.

- 15 **CONCURRENT DEBATE** — Motion made, by leave, and question — That this House authorises and requires the Speaker to permit the second reading and subsequent stages of the Appropriation (2021–2022) Bill 2021 and the Appropriation (Parliament 2021–2022) Bill 2021 to be moved and debated concurrently (*Ms Allan*) — put and agreed to.

16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Order of the Day, Government Business, relating to the Gambling Regulation Amendment (Wagering and Betting Tax) Bill 2021 be considered and completed by 7.00 pm on Thursday 20 May 2021 (*Ms Allan*) — after debate, put and agreed to.

17 **STATEMENTS BY MEMBERS** — Members made statements.

18 **STATE TAXATION AND MENTAL HEALTH ACTS AMENDMENT BILL 2021** — Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow. Debate adjourned until Friday 21 May 2021.

19 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING TAX) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of this bill under the resolution of the House today had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 7.00 pm under the resolution of the House on Wednesday 5 May 2021.

20 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 105 and 106

No 105 — Tuesday 25 May 2021

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **MUTUAL RECOGNITION (VICTORIA) AMENDMENT BILL 2021** — Mr Pallas introduced ‘*A Bill for an Act to amend the **Mutual Recognition (Victoria) Act 1998** to adopt the amendments made to the Mutual Recognition Act 1992 of the Commonwealth by the Mutual Recognition Amendment Act 2021 of the Commonwealth and to make related amendments*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AND OTHER ACTS AMENDMENT (FEDERAL JURISDICTION AND OTHER MATTERS) BILL 2021** — Ms Hutchins introduced ‘*A Bill for an Act to amend the **Victorian Civil and Administrative Tribunal Act 1998** in relation to federal subject matter and to consequentially amend the **Magistrates’ Court Act 1989** and other Acts, to amend the **County Court Act 1958** and the **Judicial Entitlements Act 2015** to create the office of Deputy Chief Judge of the County Court, to amend the **Public Prosecutions Act 1994** in relation to the appointment of an acting Chief Crown Prosecutor and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **ENERGY LEGISLATION AMENDMENT (ENERGY FAIRNESS) BILL 2021** — Ms D’Ambrosio introduced ‘*A Bill for an Act to amend the **Electricity Industry Act 2000** and the **Gas Industry Act 2001** and to make related amendments to the **Criminal Procedure Act 2009** and the **Essential Services Commission Act 2001** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Victoria’s Breast Screen Service — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services, bearing 1379 and 629 signatures (*Mr Hodgett and Ms McLeish respectively*).

Panton Hill Primary School — Requesting that the Legislative Assembly directs the Victorian Education Department to fund the Panton Hill Primary School fire sprinkler system and reclassify it as a rural zoned school, bearing 273 signatures (*Ms McLeish*).

Kangaroo Ground Incident Control Centre and Panton Hill Primary School — Requesting that the Legislative Assembly calls on the Government to upgrade and resource the Kangaroo

Ground Incident Control Centre and Fire Tower and fund the maintenance of the Panton Hill Primary School fire and emergency sprinkler system, bearing 164 signatures (*Ms McLeish*).

Kangaroo Ground Incident Control Centre and Fire Tower — Requesting that the Legislative Assembly directs the Emergency Management Commissioner and the CFA to re-open the Kangaroo Ground Incident Control Centre and maintain the Kangaroo Ground Fire Tower, bearing 48 signatures (*Ms McLeish*).

Wallan Quarry — Requesting that the Legislative Assembly calls on the Government to reject the application for the Wallan Quarry, bearing 1363 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 7 **PETITION — VICTORIA'S BREAST SCREEN SERVICE** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 8 **PETITION — PANTON HILL PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 9 **PETITION — KANGAROO GROUND INCIDENT CONTROL CENTRE AND PANTON HILL PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 10 **PETITION — KANGAROO GROUND INCIDENT CONTROL CENTRE AND FIRE TOWER** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 11 **PETITION — WALLAN QUARRY** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 12 **PETITION — VICTORIA'S BREAST SCREEN SERVICE** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.

13 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Blandthorn, Chair, tabled a report from the Public Accounts and Estimates Committee on the 2019–20 financial and performance outcomes together with an extract from the proceedings and transcripts of evidence.

Report and extract from the proceedings ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 6 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2021–2022) Bill 2021
Appropriation (Parliament 2021–2022) Bill 2021
Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Bill 2021
Education and Training Reform Amendment (Protection of School Communities) Bill 2021
Emergency Powers Safeguards Legislation Amendment Bill 2021
Gambling Regulation Amendment (Wagering and Betting Tax) Bill 2021
Non-Emergency Patient Transport Amendment Bill 2021
State Taxation and Mental Health Acts Amendment Bill 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Central Highlands Rural Health — Report 2019–20, together with an explanation for the delay

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Gresswell Forest (Part B) Nature Conservation Reserve

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C229
Banyule — C161
Benalla — C39
Cardinia — C269
Casey — C231
Colac Otway — C99
Glen Eira — C217
Golden Plains — C93
Greater Geelong — C393
Kingston — C180
Melbourne — C406
Monash — C164
Mount Alexander — C95
Port Phillip — C175
Strathbogie — C82
Wangaratta — C77

Statutory Rules under the following Acts:

Forests Act 1958 — SR 44
Petroleum Act 1998 — SR 45
Transport Accident Act 1986 — SR 46

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice No 3.

14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the State Taxation and Mental Health Acts Amendment Bill 2021.

15 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended tomorrow to allow:

(1) The order of business to be:

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Question time — 11.00 am

Government business *continued*

Matter of public importance — 5.00 pm or after all business on the government business program is completed (if the completion time for the program is 5.00 pm), whichever is later

Adjournment debate — at the completion of the debate on the matter of public importance.

(2) The processes for interruptions under Sessional Orders 2 and 3(4) to apply at the times set out in paragraph (1)

(Ms Allan) — put and agreed to.

16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Wednesday 26 May 2021:

Appropriation (2021–2022) Bill 2021

Appropriation (Parliament 2021–2022) Bill 2021

State Taxation and Mental Health Acts Amendment Bill 2021

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 50

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; Tim Smith; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 17 **STATEMENTS BY MEMBERS** — Members made statements.
- 18 **APPROPRIATION (2021–2022) BILL 2021 AND APPROPRIATION (PARLIAMENT 2021–2022) BILL 2021** — Order read for resuming debate on question — That these Bills be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 106 — Wednesday 26 May 2021

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Victoria's Breast Screen Service — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services, bearing 184 signatures (*Mr Hodgett*)

Beaconsfield Reservoir — Requesting that the Legislative Assembly asks Melbourne Water to adopt the safety upgrade option that retains the current wall height at Beaconsfield Reservoir, bearing 1241 signatures (*Mr Battin*)

Edenhope District Memorial Hospital Amalgamation — Requesting that the Legislative Assembly calls on the Government to stop any merger or amalgamation of Edenhope District Memorial Hospital and Ballarat Health Services, bearing 126 signatures (*Ms Kealy*).

Petitions ordered to be tabled.

3 **PETITION — EDENHOPE DISTRICT MEMORIAL HOSPITAL AMALGAMATION** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

4 **PETITION — VICTORIA'S BREAST SCREEN SERVICE** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.

5 **PETITION — BEACONSFIELD RESERVOIR** — Motion made and question — That the petition presented by the Member for Gembrook be taken into consideration tomorrow (*Mr Battin*) — put and agreed to.

6 **DOCUMENTS**

NEW FOOTSCRAY HOSPITAL — Project Summary tabled by leave (*Mr Donnellan*).

YORTA YORTA TRADITIONAL OWNER LAND MANAGEMENT BOARD — Report 2017–18 tabled by leave (*Ms D'Ambrosio*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Measuring and Reporting on Service Delivery — Ordered to be published

Financial Management Act 1994 — Report from the Minister for Energy, Environment and Climate Change that she had received the Report 2017–18 of the Yorta Yorta Traditional Owner Land Management Board, together with an explanation for the delay

Lower Murray Urban and Rural Water Corporation — Report 2019–20 (*replacement for copy tabled on Thursday 10 December 2020*).

PROCLAMATION — Under Standing Order 177A, the Clerk tabled the following proclamation fixing an operative date:

Public Health and Wellbeing Amendment Act 2021 — Whole Act — 1 July 2021 (*Gazette S243, 25 May 2021*).

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Zero and Low Emission Vehicle Distance-based Charge Bill 2021 without amendment.

8 **SITTING OF THE HOUSE** — Motion made and question — That:

(1) The House, at its rising, adjourns until Tuesday 8 June 2021, or an earlier day and hour to be fixed by the Speaker.

(2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the

Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.

(3) The Speaker will notify members of any changes to the next sitting date

(*Ms Allan*) — put and agreed to.

9 **STATEMENTS BY MEMBERS** — Members made statements.

10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

11 **MUTUAL RECOGNITION (VICTORIA) AMENDMENT BILL 2021** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 9 June 2021.

12 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AND OTHER ACTS AMENDMENT (FEDERAL JURISDICTION AND OTHER MATTERS) BILL 2021** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 9 June 2021.

13 **ENERGY LEGISLATION AMENDMENT (ENERGY FAIRNESS) BILL 2021** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 9 June 2021.

- 14 **STATE TAXATION AND MENTAL HEALTH ACTS AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under the resolution of the House on Tuesday 25 May 2021.

- 15 **QUESTION TIME** — (Under Sessional Order 9).

- 16 **STATE TAXATION AND MENTAL HEALTH ACTS AMENDMENT BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 25 May 2021 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 53

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 23

Brad Battin; Roma Britnell; Tim Bull; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **APPROPRIATION (2021–2022) BILL 2021 AND APPROPRIATION (PARLIAMENT 2021–2022) BILL 2021** — Order read for resuming debate on question — That these Bills be now read a second time.

Question — That these Bills be now read a second time and a third time — put and agreed to.

Bills sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.07 pm under the resolution of the House on Tuesday 25 May 2021.

18 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — SECOND DRUG INJECTING ROOM —**
The Speaker read Ms Kealy's proposal to the House —

'That this House condemns the Andrews Labor Government's plans for a second drug injecting room near Flinders Street Station in Melbourne's Central Business District and also notes:

- (1) the Government has failed to consult with or listen to the views of local residents and small business operators on this proposal;
- (2) Melbourne's Central Business District businesses are still suffering from the effects of COVID-19 related lockdowns and the proposed drug injecting room will do further damage;
- (3) the ongoing problems associated with the existing drug injecting room in North Richmond; and
- (4) the potential for additional injecting rooms in Dandenong, Footscray and St Kilda, as well as advocacy in favour of drug injecting rooms in Geelong and Mildura.'

Ms Kealy addressed the House — Discussion followed.

Business was interrupted at 7.08 pm under the resolution of the House on Tuesday 25 May 2021.

19 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.31 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 107, 108 and 109

No 107 — Tuesday 8 June 2021

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 11 June 2021:

Order of business

- (1) The order of business is:

Wednesday

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Question time — 2.00 pm

Government business *continued*

Grievance debate — 4.00 pm

Government business *continued*

Thursday

Formal business

Statements by members

Government business

Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Question time — 2.00 pm

Government business *continued*.

- (2) The processes for interruptions under Sessional Orders 2 and 3(4) apply at the times set out in paragraph (1).

Time of meeting

- (3) Unless otherwise ordered, the House will meet on Wednesday at 9.35 am.

Cleaning of the Chamber

- (4) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Face masks in the Chamber

- (5) Members must wear face masks in the Chamber except when they have the call to speak or if an exception applies.

Lower public galleries deemed part of Chamber and reduced numbers of members to assist with physical distancing

- (6) The lower public galleries are included as part of the Legislative Assembly Chamber at all times other than when a division is taking place under paragraph (12).
- (7) Subject to paragraphs (11) and (12), the House will be composed of the Chair and no more than 29 other members, being:
- (a) 13 from the Government, nine from the Opposition, one Greens member and one independent member on the floor of the Chamber; and
 - (b) three from the Government and two from the Opposition in the lower public galleries.
- (8) Except as provided in paragraph (11) and (12), if more members than those listed in paragraph (7) vote in a division, the Clerk will not count their vote.

Quorum

- (9) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (10) If, under paragraph (9) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (7) are suspended until a quorum is formed.
- (11) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (7) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and

- (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (12) For questions relating to the passage of bills on the government business program, the provisions of paragraph (7) are suspended and divisions will take place as follows:
 - (a) the Chair will direct that the lower public galleries be cleared for the duration of the division;
 - (b) members will vote in up to four voting groups;
 - (c) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) subject to subparagraph (e), all members except the Chair must then leave the Chamber;
 - (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (7), as required;
 - (d) subject to subparagraph (e), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
 - (e) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
 - (f) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (13) If a division has taken place, a member not in attendance for the division can register their opinion on the question:
- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') by no later than one hour after the division has been completed; and
 - (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*.

Remote participation

- (14) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) members' statements;
 - (iv) statements on parliamentary committee reports;
 - (v) question time — to ask questions only;
 - (vi) grievance debates;
 - (vii) debates on a matter of public importance;
 - (viii) adjournment debates — to raise a matter only;
 - (ix) a personal explanation;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;

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- (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;
 - (vii) chair the debate;
- (e) members participating remotely may circulate amendments to bills under SO 64;
 - (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
 - (i) the Speaker may issue Guidelines about remote participation.

Members to incorporate their speeches

- (15) Members may incorporate their speeches for any of the following items of business considered by the House that day:

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- (a) bills on the government business program;
 - (b) substantive motions;
 - (c) members' statements;
 - (d) statements on parliamentary committee reports;
 - (e) grievance debate;
 - (f) constituency questions; and
 - (g) adjournment matters.
- (16) Members must submit their speeches for incorporation by the following deadlines:
- (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for all other items of business listed in paragraph (15), they must email their speech to the Clerk by the adjournment of the House each day.
- (17) For all items of business listed in paragraph (15), except for bills and substantive motions, the Clerk will accept matters up to the number usually given in the House minus any matters verbally given in the House each day, and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (18) Incorporated speeches for bills and motions will be published in Hansard —
- (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any);
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any); and
 - (c) for all other items of business listed under paragraph (15), after the relevant speeches made in the House (if any).
- (19) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published

(Ms Allan) — put and agreed to.

3 QUESTION TIME — (Under Sessional Order 9).

4 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN ACADEMY OF TEACHING AND LEADERSHIP) BILL 2021** — Ms D'Ambrosio introduced '*A Bill for an Act to amend the Education and Training Reform Act 2006 to establish the Victorian Academy of Teaching and Leadership and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **ENERGY LEGISLATION AMENDMENT BILL 2021** — Ms D'Ambrosio introduced '*A Bill for an Act to amend the Electricity Industry Act 2000, the Essential Services Commission Act 2001, the Gas Industry Act 2001, the National Electricity (Victoria) Act 2005, the National Gas (Victoria) Act 2008 and the Victorian Energy Efficiency Target Act 2007 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 7 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Children, Youth and Families (Raise the Age) Amendment Bill 2021

Energy Legislation Amendment (Energy Fairness) Bill 2021

Mutual Recognition (Victoria) Amendment Bill 2021

Victorian Civil and Administrative Tribunal and Other Acts Amendment (Federal Jurisdiction and Other Matters) Bill 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Alexandra Gardens Reserve

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C181

Benalla — C33

Casey — C283

Central Goldfields — C28

Corangamite — C54

Darebin — C185

Gannawarra — C44

Glenelg — C99

Latrobe — C122, C128

Melton — C198

Moonee Valley — C220

Surf Coast — C135
 Victoria Planning Provisions — VC189
 West Wimmera — C36
 Yarra Ranges — C187

Statutory Rules under the following Acts:

Dangerous Goods Act 1985 — SR 49
Environment Protection Act 2017 — SRs 47, 48
Land Acquisition and Compensation Act 1986 — SR 50
Public Health and Wellbeing Act 2008 — SR 51

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 44, 49, 51
 Documents under s 16B in relation to the *Professional Engineers Registration Act 2019* — Code of Conduct for Professional Engineers.

- 7 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 1 June 2021, given the royal assent to the Zero and Low Emission Vehicle Distance-based Charge Bill 2021, presented to her by the Clerk of the Parliaments.
- 8 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Victorian Civil and Administrative Tribunal and Other Acts Amendment (Federal Jurisdiction and Other Matters) Bill 2021.
- 9 **INTEGRITY AND OVERSIGHT COMMITTEE** — The Speaker announced that he had received the resignation of Mr McGhie from the Integrity and Oversight Committee, effective from 7 June 2021.
- 10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 10 June 2021:

Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Bill 2021
 Education and Training Reform Amendment (Protection of School Communities) Bill 2021
 Energy Legislation Amendment (Energy Fairness) Bill 2021
 Offshore Petroleum and Greenhouse Gas Storage (Cross-boundary Greenhouse Gas Titles and Other Matters) Amendment Bill 2021

(*Ms Allan*) — after debate, put and agreed to.

- 11 **STATEMENTS BY MEMBERS** — Members made statements.
- 12 **POSTPONEMENT OF NOTICE OF MOTION AND ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Notice of Motion, No 1 and Order of the Day, No 1 be postponed until later this day.

- 13 **EDUCATION AND TRAINING REFORM AMENDMENT (PROTECTION OF SCHOOL COMMUNITIES) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Thomas*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Gambling Regulation Amendment (Wagering and Betting Tax) Bill 2021 without amendment.

- 15 **EDUCATION AND TRAINING REFORM AMENDMENT (PROTECTION OF SCHOOL COMMUNITIES) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.20 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 108 — Wednesday 9 June 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 8 June 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Victoria's Breast Screen Service — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services, bearing 188 signatures (*Mr Hodgett*)

Wimmera Health Care Group amalgamation — Requesting that the Legislative Assembly calls on the Government to ensure the amalgamation of the Wimmera Health Care Group and Ballarat Health Services does not proceed, bearing 3648 signatures (*Ms Kealy*).

Petitions ordered to be tabled.

3 **PETITION — WIMMERA HEALTH CARE GROUP AMALGAMATION** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

4 **PETITION — VICTORIA'S BREAST SCREEN SERVICE** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.

5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Commission for Children and Young People — Our youth, our way: Inquiry into the over-representation of Aboriginal children and young people in the Victorian youth justice system — Ordered to be published

Ombudsman — Investigation into Melton City Council's engagement of IT company, MK Datanet Pty Ltd — Ordered to be published

Victorian Inspectorate — Inspection Report March to September 2020 under the *Terrorism (Community Protection) Act 2003*.

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the State Taxation and Mental Health Acts Amendment Bill 2021 without amendment.

7 **EXTENSION TO COMMITTEE REPORTING DATE** — Motion made, by leave, and question — That the reporting date for the Electoral Matters Committee's Inquiry into the impact of social media on Victorian elections and Victoria's electoral administration be extended to no later than 16 September 2021 (*Ms Allan*) — put and agreed to.

8 **INTEGRITY AND OVERSIGHT COMMITTEE** — Motion made, by leave, and question — That Ms Hennessy be a member of the Integrity and Oversight Committee (*Ms Allan*) — put and agreed to.

9 **STATEMENTS BY MEMBERS** — Members made statements.

10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

11 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN ACADEMY OF TEACHING AND LEADERSHIP) BILL 2021** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 23 June 2021.

- 12 **ENERGY LEGISLATION AMENDMENT BILL 2021** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Rowsell*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 23 June 2021.

- 13 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 3 and 4 be postponed until later this day.

- 14 **EDUCATION AND TRAINING REFORM AMENDMENT (PROTECTION OF SCHOOL COMMUNITIES) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **CHILD WELLBEING AND SAFETY (CHILD SAFE STANDARDS COMPLIANCE AND ENFORCEMENT) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 8 June 2021.

- 16 **QUESTION TIME** — (Under Sessional Order 9).

- 17 **CHILD WELLBEING AND SAFETY (CHILD SAFE STANDARDS COMPLIANCE AND ENFORCEMENT) AMENDMENT BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 4.00 pm under the resolution of the House on Tuesday 8 June 2021.

- 18 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.
- 19 **CHILD WELLBEING AND SAFETY (CHILD SAFE STANDARDS COMPLIANCE AND ENFORCEMENT) AMENDMENT BILL 2021** — Debate resumed on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 20 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (CROSS-BOUNDARY GREENHOUSE GAS TITLES AND OTHER MATTERS) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business was interrupted at 7.00 pm under sessional orders.*
- 21 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 109 — Thursday 10 June 2021

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Attacks on Israel** — Requesting that the Legislative Assembly condemns Hamas, acknowledges the right of Israel to defend itself, and declares its support for Israel and peace in the region, bearing 265 signatures (*Mr Southwick*).
- Ordered to be tabled.
- 3 **PETITION — ATTACKS ON ISRAEL** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.
- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Annual Plan 2021–22

Parliamentary Committees Act 2003 — Government response to the Integrity and Oversight Committee’s Report on the Inquiry into the Performance of Victorian Integrity Agencies 2017/18–2018/19

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of the State of Emergency — 15th Report.

5 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 22 June 2021, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(Ms Allan) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Members made statements.

7 **POSTPONEMENT OF NOTICE OF MOTION AND ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Notice of Motion, No 1 and Orders of the Day, Nos 1 to 3 inclusive, be postponed until later this day.

8 **ENERGY LEGISLATION AMENDMENT (ENERGY FAIRNESS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government has:

- (1) reviewed the efficiency of the Energy and Water Ombudsman of Victoria (EWOV) in resolving complaints about energy contracts sold through telemarketing and door-to-door sales;
- (2) thoroughly investigated the consumer protection outcomes of mandating that energy companies and agents that sell products through the solar homes initiative join an approved dispute resolution scheme such as EWOV;
- (3) examined the empirical need for enhanced consumer protections in the energy market;
- (4) investigated the prohibition of commission-based remuneration for direct marketing workers who operate in the energy sales sector;

- (5) investigated the consumer protection outcomes of requiring all energy contracts sold through direct marketing to be pre-lodged with the Essential Services Commission;
- (6) reviewed the avenues through which do not knock stickers are made available and advertised to vulnerable cohorts within the Victorian community; and
- (7) reviewed the effectiveness of plain information statements as a form of consumer protection'

(Mr Rowswell) — and, after debate —

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 8 June 2021.

9 **QUESTION TIME** — (Under Sessional Order 9).

Member named and suspended — The Member for Warrandyte (*Mr Smith*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Warrandyte (*Mr Smith*) be suspended from the service of the House for the next two sitting days (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 18

Jacinta Allan; Ben Carroll; Lily D'Ambrosio; Luke Donnellan; Martin Foley; Sam Hibbins; Melissa Horne; Natalie Hutchins; Stephen McGhie; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Suzanna Sheed; Ros Spence; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES 11

Neil Angus; Brad Battin; Gary Blackwood; Emma Kealy; Cindy McLeish; David Morris; Michael O'Brien; Brad Rowswell; Steph Ryan; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward.

NOES

Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Tim McCurdy; James Newbury; Richard Riordan; Tim Smith; David Southwick; Louise Staley; Bridget Vallenge.

Mr Smith (Warrandyte) accordingly withdrew from the Chamber.

Question time continued.

- 10 **ENERGY LEGISLATION AMENDMENT (ENERGY FAIRNESS) BILL 2021** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **EDUCATION AND TRAINING REFORM AMENDMENT (PROTECTION OF SCHOOL COMMUNITIES) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **CHILD WELLBEING AND SAFETY (CHILD SAFE STANDARDS COMPLIANCE AND ENFORCEMENT) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (CROSS-BOUNDARY GREENHOUSE GAS TITLES AND OTHER MATTERS) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 June 2021 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **ENERGY LEGISLATION AMENDMENT (ENERGY FAIRNESS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government has: (1) reviewed the efficiency of the Energy and Water Ombudsman of Victoria (EWOV) in resolving complaints about energy contracts sold through telemarketing and door-to-door sales; (2) thoroughly investigated the consumer protection outcomes of mandating that energy companies and agents that sell products through the solar homes initiative join an approved dispute resolution scheme such as EWOV; (3) examined the empirical need for enhanced consumer protections in the energy market; (4) investigated the prohibition of commission-based remuneration for direct marketing workers who operate in the energy sales sector; (5) investigated the consumer protection outcomes of requiring all energy contracts sold through direct marketing to be pre-lodged with the Essential Services Commission; (6) reviewed the avenues through which do not knock stickers are made available and advertised to vulnerable cohorts within the Victorian community; and (7) reviewed the effectiveness of plain information statements as a form of consumer protection’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 19

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Tim Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Christine Couzens; Maree Edwards; John Eren; James Merlino; Tim Pallas; Tim Richardson; Michaela Settle; Kat Theophanous.

NOES

James Newbury; Russell Northe.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 18

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Christine Couzens; Maree Edwards; John Eren; James Merlino; Tim Pallas; Tim Richardson; Michaela Settle; Kat Theophanous.

NOES

Russell Northe.

Bill sent to the Legislative Council and their agreement requested.

- 15 **EDUCATION AND TRAINING REFORM AMENDMENT (PROTECTION OF SCHOOL COMMUNITIES) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **CHILD WELLBEING AND SAFETY (CHILD SAFE STANDARDS COMPLIANCE AND ENFORCEMENT) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.23 pm under sessional orders.

- 17 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.40 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 110, 111 and 112

No 110 — Tuesday 22 June 2021

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 25 June 2021:

Order of business

- (1) The order of business is:

Tuesday

Formal business
Statements by members
Government business
Question time — 2.00 pm
Government business *continued*

Wednesday

Formal business
Statements by members
Statements on parliamentary committee reports
Government business
Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm
Question time — 2.00 pm
Government business *continued*
Matter of public importance — 4.00 pm
Government business *continued*

Thursday

Formal business
Statements by members
Government business
Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm
Question time — 2.00 pm
Government business *continued*.

- (2) The processes for interruptions under Sessional Orders 2 and 3(4) apply at the times set out in paragraph (1).

Time of meeting

- (3) Unless otherwise ordered, the House will meet on Wednesday at 9.35 am.

Cleaning of the Chamber

- (4) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Face masks in the Chamber

- (5) Members must wear face masks in the Chamber except when they have the call to speak or if an exception applies.

Lower public galleries deemed part of Chamber and reduced numbers of members to assist with physical distancing

- (6) The lower public galleries are included as part of the Legislative Assembly Chamber at all times other than when a division is taking place under paragraph (12).
- (7) Subject to paragraphs (11) and (12), the House will be composed of the Chair and no more than 29 other members, being:
- (a) 13 from the Government, eight from the Opposition, one Greens member and two independent members on the floor of the Chamber; and
 - (b) three from the Government and two from the Opposition in the lower public galleries.
- (8) Except as provided for in paragraph (11) and (12), if more members than those listed in paragraph (7) vote in a division, the Clerk will not count their vote.

Quorum

- (9) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (10) If, under paragraph (9) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (7) are suspended until a quorum is formed.
- (11) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (7) are suspended;
 - (b) the bells must be rung for a further four minutes;

- (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
- (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

(12) For questions relating to the passage of bills on the government business program, the provisions of paragraph (7) are suspended and divisions will take place as follows:

- (a) the Chair will direct that the lower public galleries be cleared for the duration of the division;
- (b) members will vote in up to four voting groups;
- (c) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) subject to subparagraph (e), all members except the Chair must then leave the Chamber;
 - (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (7), as required;
- (d) subject to subparagraph (e), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
- (e) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and

- (f) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (13) If a division has taken place, a member not in attendance for the division can register their opinion on the question:
 - (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') by no later than one hour after the division has been completed; and
 - (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*.

Remote participation

- (14) Members may participate in debate remotely using an audio link or audio visual link as follows:
 - (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) members' statements;
 - (iv) statements on parliamentary committee reports;
 - (v) question time — to ask questions only;
 - (vi) grievance debates;
 - (vii) debates on a matter of public importance;
 - (viii) adjournment debates — to raise a matter only;
 - (ix) a personal explanation;

-
- (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;
 - (vii) chair the debate;
 - (e) members participating remotely may circulate amendments to bills under SO 64;
 - (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
 - (i) the Speaker may issue Guidelines about remote participation.

Members to incorporate their speeches

- (15) Members may incorporate their speeches for any of the following items of business considered by the House that day:
- (a) bills on the government business program;
 - (b) substantive motions;
 - (c) members' statements;
 - (d) statements on parliamentary committee reports;
 - (e) matter of public importance;
 - (f) constituency questions; and
 - (g) adjournment matters.
- (16) Members must submit their speeches for incorporation by the following deadlines:
- (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for all other items of business listed in paragraph (15), they must email their speech to the Clerk by the adjournment of the House each day.
- (17) For all items of business listed in paragraph (15), except for bills and substantive motions, the Clerk will accept matters up to the number usually given in the House minus any matters verbally given in the House each day, and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (18) Incorporated speeches for bills and motions will be published in Hansard —
- (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any);
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any); and
 - (c) for all other items of business listed under paragraph (15), after the relevant speeches made in the House (if any).
- (19) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published

(Ms Allan) — put and agreed to.

- 3 **POLICE INFORMANTS ROYAL COMMISSION IMPLEMENTATION MONITOR BILL 2021** — Ms Hutchins introduced ‘*A Bill for an Act to establish the Police Informants Royal Commission Implementation Monitor and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **RACING AMENDMENT BILL 2021** — Ms Thomas introduced ‘*A Bill for an Act to amend the Racing Act 1958 to remove the prohibition on racing on Good Friday and make other minor and technical amendments*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **LIQUOR CONTROL REFORM AMENDMENT BILL 2021** — Ms Horne introduced ‘*A Bill for an Act to amend the Liquor Control Reform Act 1998 to reform the categories of licences authorising the supply of liquor including the introduction of a new licence category, to address the risks of large packaged liquor outlets in order to reduce harm, to make amendments to the review of decisions, to abolish dry areas and to make other related amendments to improve the operation of that Act and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **OCCUPATIONAL HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2021** — Ms Horne introduced ‘*A Bill for an Act to amend the Occupational Health and Safety Act 2004, the Dangerous Goods Act 1985, the Equipment (Public Safety) Act 1994 and the Workplace Injury Rehabilitation and Compensation Act 2013 in relation to labour hire arrangements, insurance and indemnities, notice requirements and the powers of certain persons and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Jim Crow Creek — Requesting that the Legislative Assembly calls on the Government to preserve the name of Jim Crow Creek, bearing 508 signatures (Ms Staley)

Lydiard Street crossing — Requesting that the Legislative Assembly calls on the Government to reinstate the heritage level crossing gates and reopen the thoroughfare at Lydiard Street, Ballarat, bearing 813 signatures (Ms Staley).

Petitions ordered to be tabled.
- 8 **PETITION — JIM CROW CREEK** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (Ms Staley) — put and agreed to.
- 9 **PETITION — LYDIARD STREET CROSSING** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (Ms Staley) — put and agreed to.

10 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 8 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Education and Training Reform Amendment (Victorian Academy of Teaching and Leadership) Bill 2021

Energy Legislation Amendment Bill 2021

Public Health and Wellbeing Amendment (Greater Transparency and Accountability) Bill 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Independent Broad-based Anti-corruption Commission — Special report on corrections: IBAC Operations Rous, Caparra, Nisidia and Molara — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — C39 Part 1

Banyule — C117

Bass Coast — C150

Bayside — C180

Buloke — C43

Cardinia — C254

French Island and Sandstone Island — C11

Glen Eira — C193, C197

Hindmarsh — C19

Indigo — C75

Kingston — C198

Mitchell — C149

Moreland — C192

Northern Grampians — C59

Port Phillip — C196

Pyrenees — C46

Southern Grampians — C54, C58

Surf Coast — C136

Whitehorse — C213

Whittlesea — C252

Yarriambiack — C29

Statutory Rules under the following Acts:

Dangerous Goods Act 1985 — SR 56
Family Violence Protection Act 2008 — SR 52
Magistrates' Court Act 1989 — SR 52
Personal Safety Intervention Orders Act 2010 — SR 52
Professional Engineers Registration Act 2019 — SR 55
Victoria Police Act 2013 — SR 53
Victorian Civil and Administrative Tribunal Act 1998 — SR 54

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 45, 50, 52, 54, 56
 Documents under s 16B in relation to the *Workplace Injury Rehabilitation and Compensation Act 2013* — Proclamation of diseases

Victoria Police, Chief Commissioner — Report 2020 under s 96 of the *Drugs, Poisons and Controlled Substances Act 1981*

Victorian Inspectorate:

Annual Plan 2021–22
 Report 1 July to 31 December 2020 under s 30Q of the *Surveillance Devices Act 1999*.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Electricity Industry Act 2000 — Part 6 — 17 June 2021 (*Gazette S297, 17 June 2021*)
Justice Legislation Amendment (Supporting Victims and Other Matters) Act 2020 — Part 5 — 1 July 2021 (*Gazette S292, 16 June 2021*)
Workplace Injury Rehabilitation and Compensation Amendment (Provisional Payments) Act 2021 — Whole Act (except section 7(2)) — 1 July 2021 (*Gazette S293, 16 June 2021*).

11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Appropriation (2021–2022) Bill 2021
 Appropriation (Parliament 2021–2022) Bill 2021.

12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS — APPROPRIATION BILLS** — Informing the Legislative Assembly that she had, on 16 June 2021, given the royal assent to the following bills, presented to her by the Speaker:

Appropriation (2021–2022) Bill 2021
 Appropriation (Parliament 2021–2022) Bill 2021.

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 16 June 2021 given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Gambling Regulation Amendment (Wagering and Betting Tax) Bill 2021
State Taxation and Mental Health Acts Amendment Bill 2021.

- 14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Education and Training Reform Amendment (Victorian Academy of Teaching and Leadership) Bill 2021.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 24 June 2021:

Education and Training Reform Amendment (Victorian Academy of Teaching and Leadership) Bill 2021
Energy Legislation Amendment Bill 2021
Victorian Civil and Administrative Tribunal and Other Acts Amendment (Federal Jurisdiction and Other Matters) Bill 2021

(Ms Allan) — after debate, put and agreed to.

- 16 **STATEMENTS BY MEMBERS** — Members made statements.

- 17 **POSTPONEMENT OF NOTICE OF MOTION AND ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Notice of Motion, No 1 and Orders of the Day, Nos 1 and 2 be postponed until later this day.

- 18 **MUTUAL RECOGNITION (VICTORIA) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under the resolution of the House today.

- 19 **QUESTION TIME** — (Under Sessional Order 9).

- 20 **MUTUAL RECOGNITION (VICTORIA) AMENDMENT BILL 2021** — Debate resumed on question — That this Bill be now read a second time.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 21 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AND OTHER ACTS AMENDMENT (FEDERAL JURISDICTION AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.18 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 111 — Wednesday 23 June 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 22 June 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Victoria's breast screen service — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services, bearing 137 and 467 signatures (*Mr Hodgett and Mr O'Brien, Malvern respectively*)

Rezone Spring Creek Valley — Requesting that the Legislative Assembly calls on the Government to rezone Spring Creek Valley to protect the landscape from urban development, bearing 569 signatures (*Mr Cheeseman*).

Petitions ordered to be tabled.

- 3 **PETITION — VICTORIA'S BREAST SCREEN SERVICE** — Motion made and question — That the petition presented by the Member for Malvern be taken into consideration tomorrow (*Mr O'Brien, Malvern*) — put and agreed to.

- 4 **PETITION — VICTORIA'S BREAST SCREEN SERVICE** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.

- 5 **DOCUMENTS**

STANDING ORDERS COMMITTEE — Ms Edwards tabled a report from the Standing Orders Committee on e-petitions, responding to statements made in the Legislative Council and supplementary questions, together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Responses to Performance Audit Recommendations: Annual Status Update — Ordered to be published

Parliamentary Budget Officer — Operational Plan 2021–22

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 47, 48

Documents under s 16B in relation to:

Environment Protection Act 1970:

Revocation of Notifiable Chemicals Order (Arsenic and Arsenic Compounds)

Revocation of Notifiable Chemicals Order (Chlorine Compounds)

Environment Protection Act 2017 — Environment Reference Standard

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice.

- 6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Education and Training Reform Amendment (Protection of School Communities) Bill 2021

Offshore Petroleum and Greenhouse Gas Storage (Cross-boundary Greenhouse Gas Titles and Other Matters) Amendment Bill 2021.

- 7 **STATEMENTS BY MEMBERS** — Members made statements.

- 8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

- 9 **POLICE INFORMANTS ROYAL COMMISSION IMPLEMENTATION MONITOR BILL 2021** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 7 July 2021.

- 10 **RACING AMENDMENT BILL 2021** — Ms Thomas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Thomas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 7 July 2021.

- 11 **LIQUOR CONTROL REFORM AMENDMENT BILL 2021** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 7 July 2021.

- 12 **OCCUPATIONAL HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2021** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 7 July 2021.

- 13 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN ACADEMY OF TEACHING AND LEADERSHIP) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 22 June 2021.

- 14 **QUESTION TIME** — (Under Sessional Order 9).

- 15 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN ACADEMY OF TEACHING AND LEADERSHIP) BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 4.00 pm under the resolution of the House on Tuesday 22 June 2021.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — EVIDENCE-BASED RESPONSE TO PUBLIC HEALTH AND SAFETY ISSUES** — The Speaker read Mr Edbrooke’s proposal to the House —

‘That this House notes the Andrews Labor Government’s commitment to an evidence-based response to public health and safety issues, particularly in the areas of:

- (1) climate change;
- (2) pandemic response;
- (3) prevention of family violence; and
- (4) mental health.’

Mr Edbrooke addressed the House — Discussion followed.

- 17 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN ACADEMY OF TEACHING AND LEADERSHIP) BILL 2021** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Cheeseman*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **ENERGY LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.34 pm.

No 112 — Thursday 24 June 2021

1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS**

CLOSING THE GAP IMPLEMENTATION PLAN 2011–23 — Tabled by leave (*Ms Williams*).

VICTORIAN GOVERNMENT ABORIGINAL AFFAIRS REPORT 2020 — Tabled by leave (*Ms Williams*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Clinical Governance: Health Services — Ordered to be published

Delivering the Solar Homes Program — Ordered to be published

Results of 2020 Audits: Technical and Further Education Institutes — Ordered to be published

Results of 2020 Audits: Universities — Ordered to be published

Commission for Children and Young People — Out of sight: Systemic inquiry into children and young people who are absent or missing from residential care — Ordered to be published

Multicultural Victoria Act 2011 — Victorian Government Report on multicultural affairs 2019–20

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 61

Victorian Environmental Assessment Council Act 2001 — Government response to the Victorian Environmental Assessment Council's Central West Investigation Final Report.

DOCUMENTS TABLED UNDER STANDING ORDERS — Under standing orders the Clerk tabled the following documents:

Government response to the Environment and Planning Standing Committee's report on the Inquiry into tackling climate change in Victorian communities

A proclamation fixing an operative date — *Education and Training Reform Amendment (Miscellaneous) Act 2021* — Remaining provisions — 1 July 2021 (*Gazette S321, 22 June 2021*).

3 **STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That, as recommended by the Standing Orders Committee's Report on e-petitions, responding to statements made in the Legislative Council and supplementary questions, June 2021, this House:

- (1) adopts a new sessional order to allow the tabling of electronic petitions in the Legislative Assembly as detailed in Appendix A;
- (2) amends SO 107 as detailed in Appendix B; and
- (3) adopts new Sessional Order 12A as detailed in Appendix C for a temporary period until 31 December 2021 —

effective from 1 August 2021 (*Ms Allan*) — after debate, put and agreed to.

4 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 3 August 2021, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(*Ms Allan*) — put and agreed to.

5 **STATEMENTS BY MEMBERS** — Members made statements.

6 **POSTPONEMENT OF NOTICE OF MOTION** — Ordered — That the consideration of Government Business, Notice of Motion, No 1 be postponed until later this day.

7 **ENERGY LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Fregon*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

8 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN ACADEMY OF TEACHING AND LEADERSHIP) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 22 June 2021.

9 **QUESTION TIME** — (Under Sessional Order 9).

- 10 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN ACADEMY OF TEACHING AND LEADERSHIP) BILL 2021** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Cheeseman*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **BUDGET PAPERS** — Motion made and question proposed — That this House takes note of the 2021–22 budget papers (*Mr Donnellan*) — and, after debate —

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 22 June 2021 had expired.

- 12 **VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL AND OTHER ACTS AMENDMENT (FEDERAL JURISDICTION AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **ENERGY LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN ACADEMY OF TEACHING AND LEADERSHIP) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 15 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.25 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 113, 114 and 115

No 113 — Tuesday 3 August 2021

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF JOHN FRANCIS McGRATH AM** — The Speaker announced the death of John Francis McGrath AM, Member of the Legislative Assembly for the District of Warrnambool from 2 March 1985 to 17 September 1999; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 6 August 2021:

Order of business

- (1) The order of business is:

Tuesday

Formal business
Statements by members
Government business
Question time — 2.00 pm
Government business *continued*

Wednesday

Formal business
Statements by members
Statements on parliamentary committee reports
Government business
Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm
Question time — 2.00 pm
Government business *continued*
Matter of public importance — 4.00 pm
Government business *continued*

Thursday

Formal business
Statements by members
Government business
Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm

Question time — 2.00 pm
Government business *continued*.

- (2) The processes for interruptions under Sessional Orders 2 and 3(4) apply at the times set out in paragraph (1).

Time of meeting

- (3) Unless otherwise ordered, the House will meet on Wednesday at 9.35 am.

Cleaning in the Chamber

- (4) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Face masks in the Chamber

- (5) Members must wear face masks in the Chamber except when they have the call to speak or if an exception applies.

Lower public galleries deemed part of Chamber and reduced numbers of members to assist with physical distancing

- (6) The lower public galleries are included as part of the Legislative Assembly Chamber at all times other than when a division is taking place under paragraph (12).
- (7) Subject to paragraphs (11) and (12), the House will be composed of the Chair and no more than 29 other members, being:
- (a) 13 from the Government, eight from the Opposition, one Greens member and two independent members on the floor of the Chamber; and
 - (b) three from the Government and two from the Opposition in the lower public galleries.
- (8) Except as provided for in paragraphs (11) and (12), if more members than those listed in paragraph (7) vote in a division, the Clerk will not count their vote.

Quorum

- (9) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (10) If, under paragraph (9) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (7) are suspended until a quorum is formed.
- (11) If, under SO 29(2), there is found not to be a quorum during a division:

-
- (a) the provisions under paragraph (7) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (12) For questions relating to the passage of bills on the government business program, the provisions of paragraph (7) are suspended and divisions will take place as follows:
 - (a) the Chair will direct that the lower public galleries be cleared for the duration of the division;
 - (b) members will vote in up to four voting groups;
 - (c) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) subject to subparagraph (e), all members except the Chair must then leave the Chamber;
 - (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (7), as required;
 - (d) subject to subparagraph (e), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;

- (e) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
- (f) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (13) If a division has taken place, a member not in attendance for the division can register their opinion on the question:
 - (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') by no later than one hour after the division has been completed; and
 - (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*.

Remote participation

- (14) Members may participate in debate remotely using an audio link or audio visual link as follows:
 - (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) members' statements;
 - (iv) statements on parliamentary committee reports;
 - (v) question time — to ask questions only;
 - (vi) grievance debates;
 - (vii) debates on a matter of public importance;
 - (viii) adjournment debates — to raise a matter only;

-
- (ix) a personal explanation;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;
 - (vii) chair the debate;
 - (e) members participating remotely may circulate amendments to bills under SO 64;
 - (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
 - (i) the Speaker may issue guidelines about remote participation.

Incorporation of speeches

- (15) Members may incorporate their speeches for any of the following items of business considered by the House that day:
 - (a) bills on the government business program;
 - (b) substantive motions;
 - (c) members' statements;
 - (d) statements on parliamentary committee reports;
 - (e) matter of public importance;
 - (f) constituency questions; and
 - (g) adjournment matters.
- (16) Members must submit their speeches for incorporation by the following deadlines:
 - (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for all other items of business listed in paragraph (15), they must email their speech to the Clerk by the adjournment of the House each day.
- (17) For all items of business listed in paragraph (15), except for bills and substantive motions, the Clerk will accept matters up to the number usually given in the House minus any matters verbally given in the House each day, and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (18) Incorporated speeches for bills and motions will be published in Hansard —
 - (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any);
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any); and
 - (c) for all other items of business listed in paragraph (15), after the relevant speeches made in the House (if any).
- (19) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published

(Ms Allan) — put and agreed to.

- 4 **IBAC DEPUTY COMMISSIONERS** — The Speaker advised that, on 13 July 2021 and 20 July 2021, he administered to Kylie Kilgour and Stephen Farrow respectively, the Deputy Commissioners of the Independent Broad-based Anti-corruption Commission, the affirmation required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.
- 5 **COMMERCIAL TENANCY RELIEF SCHEME BILL 2021** — Mr Pakula introduced ‘A Bill for an Act to temporarily empower the making of regulations to modify the application of the law of Victoria in relation to certain commercial leases and licences and for other purposes’; and, after debate, the Bill was read a first time. In accordance with SO 61(3)(b), the House proceeded immediately to the second reading.

Mr Pakula tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 6 **BUILDING AMENDMENT (REGISTRATION AND OTHER MATTERS) BILL 2021** — Mr Wynne introduced ‘A Bill for an Act to amend the *Building Act 1993* and the *Domestic Building Contracts Act 1995* and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **SOCIAL SERVICES REGULATION BILL 2021** — Mr Donnellan introduced ‘A Bill for an Act to establish the Social Services Regulator and the worker and carer exclusion scheme and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **JUDICIAL PROCEEDINGS REPORTS AMENDMENT BILL 2021** — Ms Hutchins introduced ‘A Bill for an Act to amend the *Judicial Proceedings Reports Act 1958* in relation to certain sunset provisions, to provide for victim privacy orders and for other purposes’; and, after debate, the Bill was read a first time. In accordance with SO 61(3)(b), the House proceeded immediately to the second reading.

Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 9 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

St Arnaud Ambulance Station — Requesting that the Legislative Assembly ceases planned changes at the St Arnaud Ambulance Station, reducing the Advanced Life Support Paramedic Ambulances from two to one, until consultation between the town and the Government occurs, bearing 361 signatures (*Ms Staley*).

Ordered to be tabled.

- 10 **PETITION — ST ARNAUD AMBULANCE STATION** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

11 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 9 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Energy Legislation Amendment Bill 2021
 Energy Legislation Amendment (Energy Fairness) Bill 2021
 Liquor Control Reform Amendment Bill 2021
 Occupational Health and Safety and Other Legislation Amendment Bill 2021
 Mutual Recognition (Victoria) Amendment Bill 2021
 Police Informants Royal Commission Implementation Monitor Bill 2021
 Racing Amendment Bill 2021
 Victorian Civil and Administrative Tribunal and Other Acts Amendment (Federal Jurisdiction and Other Matters) Bill 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:
 Alexandra Gardens Reserve (two licences)
 Alexandra Park Reserve
 Order under s 17D granting a lease over Sandringham Beach Park Reserve

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2021 under s 303

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:
Statutory Rule 47 (*Gazette G26, 1 July 2021*)
Environment Reference Standard (*Gazette G26, 1 July 2021*)

Melbourne Cricket Ground Trust — Report year ended 31 March 2021

National Parks Act 1975 — Notice of consent under s 40 to undertake petroleum operations within Port Campbell National Park

Ombudsman:

Annual Plan 2021–22 — Ordered to be published
Councils and complaints — A good practice guide 2nd edition — Ordered to be published
Investigation into good practice when conducting prison disciplinary hearings — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the Inquiry into the Victorian Government's response to the COVID–19 pandemic

Parliamentary Salaries, Allowances and Superannuation Act 1968 — Report on distribution from the Assembly Suspension Fines Fund 2020–21

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C61, GC161
Ararat — C45, GC161
Bass Coast — C157, C160
Baw Baw — GC161
Benalla — C32, GC161
Boroondara — C356
Brimbank — C211
Buloke — GC161
Cardinia — C272
Casey — C269, C282
Central Goldfields — GC161
Colac Otway — C90, C109, GC161, GC191
Corangamite — GC161
East Gippsland — GC161
Gannawarra — GC161
Glen Eira — C225, C226
Golden Plains — C83, C96, GC161, GC191
Greater Bendigo — C255
Greater Dandenong — C227

Greater Geelong — C363, C409, C423
 Greater Shepparton — C218, GC161
 Hepburn — GC161
 Hindmarsh — C17
 Hobsons Bay — C127
 Horsham — C80
 Kingston — C190
 Knox — C190
 Latrobe — GC161
 Mansfield — C43
 Maribyrnong — C167
 Maroondah — C145
 Melbourne — C412
 Melton — C210, C225
 Mitchell — C145, C159
 Moira — C90, GC161
 Monash — C159
 Moonee Valley — C202, C205, C221, GC191
 Moorabool — C92, GC161
 Mornington Peninsula — C237, C255, C279
 Mount Alexander — GC161
 Murrindindi — GC161
 Nillumbik — C135, C136
 Northern Grampians — GC161
 Port of Melbourne — C3
 Port Phillip — C162
 Strathbogie — GC161
 Swan Hill — GC161
 Victoria Planning Provisions — VC203
 Wangaratta — C78
 Warrnambool — C208
 Whitehorse — C235
 Wodonga — C133
 Wyndham — C259
 Yarra — C290, C292
 Yarra Ranges — C189
 Yarriambiack — GC161

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of the State of Emergency — 16th Report

Statutory Rules under the following Acts:

Agricultural Industry Development Act 1990 — SR 57
Building Act 1993 — SRs 72, 73
Child Wellbeing and Safety Act 2005 — SR 62
Children, Youth and Families Act 2005 — SR 90
Conservation, Forests and Lands Act 1987 — SR 91

Corporations (Ancillary Provisions) Act 2001 — SR 80
Country Fire Authority Act 1958 — SR 86
Crown Land (Reserves) Act 1978 — SR 64
Domestic Building Contracts Act 1995 — SR 63
Environment Protection Act 1970 — SR 59
Environment Protection Act 2017 — SRs 60, 82, 83, 92
Forests Act 1958 — SR 65
Funerals Act 2006 — SR 77
Juries Act 2000 — SR 81
Land Act 1958 — SR 66
Local Government Act 1989 — SR 71
Local Government Act 2020 — SRs 69, 70
Magistrates' Court Act 1989 — SR 89
Marine Safety Act 2010 — SRs 78, 79
National Parks Act 1975 — SR 67
Occupational Health and Safety Act 2004 — SRs 88, 93
Professional Engineers Registration Act 2019 — SR 58
Road Safety Act 1986 — SR 75
Service Victoria Act 2018 — SR 84
Subordinate Legislation Act 1994 — SR 61
Tobacco Act 1987 — SR 85
Transfer of Land Act 1958 — SR 74
Transport (Compliance and Miscellaneous) Act 1983 — SR 87
Wildlife Act 1975 — SR 68
Zero and Low Emission Vehicle Distance-based Charge Act 2021 — SR 76

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 53, 55, 57, 58, 62, 64, 65, 66, 67, 68, 69, 70, 71, 74, 75, 78, 79, 81, 84, 85, 86, 88, 89, 90, 91, 93

Documents under s 16B in relation to:

Child Wellbeing and Safety Act 2005 — Remaking of the Child Safe Standards

Environment Protection Act 2017:

EPA Designation — classification of agricultural and veterinary chemical waste for the purposes of the ChemClear program

EPA Designation — classification of architectural and decorative waste paint for the purposes of the Paintback stewardship scheme

EPA Designation — classification of arsenic-contaminated waste from the City of Greater Bendigo

EPA Designation — classification of pharmaceutical waste for the purposes of the return unwanted medicines (RUM) project

EPA Determination — discharges or emissions to the atmosphere from prescribed activities

EPA Determination — discharges to land or surface water from prescribed activities

EPA Determination — permission exemption for modifications to a sewage treatment plant

EPA Determination — Specifications acceptable to the Authority for receiving fill material

EPA Determination — Specifications acceptable to the Authority for receiving livestock manure and effluent

EPA Determination — Specifications acceptable to the Authority for receiving processed organics

EPA Determination — Specifications acceptable to the Authority for receiving recycled aggregates

EPA Determination — temporary storage and containment of waste oils, paints and chemicals generated at another site at a council transfer station

National Electricity (Victoria) Act 2005 — 2021 Ministerial Order under s 16BA

Water Act 1989 — Interim Order for Amendment of the Trading Rules for Declared Water Systems (Revised Goulburn to Murray Trade Rule)

Victorian Independent Remuneration Tribunal — Members of Parliament (Victoria) Annual Adjustment Determination 2021

Wrongs Act 1958 — Notice of scale of fees and costs for referrals of medical questions to medical panels under Part VBA (*Gazette S339, 28 June 2021*).

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Marine Safety Amendment (Better Boating Fund) Act 2020 — Whole Act — 1 July 2021 (*Gazette S347, 29 June 2021*)

Mutual Recognition (Victoria) Amendment Act 2021 — Whole Act — 1 July 2021 (*Gazette S346, 29 June 2021*)

Planning and Environment Amendment Act 2021 — Remaining provisions — 7 July 2021 (*Gazette S372, 6 July 2021*).

- 12 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Bill 2021

Mutual Recognition (Victoria) Amendment Bill 2021.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transport Legislation Miscellaneous Amendments Bill 2021 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 28 June 2021, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Bill 2021

Education and Training Reform Amendment (Protection of School Communities) Bill 2021

Mutual Recognition (Victoria) Amendment Bill 2021

Offshore Petroleum and Greenhouse Gas Storage (Cross-boundary Greenhouse Gas Titles and Other Matters) Amendment Bill 2021.

- 15 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Liquor Control Reform Amendment Bill 2021
 Occupational Health and Safety and Other Legislation Amendment Bill 2021
 Police Informants Royal Commission Implementation Monitor Bill 2021
 Racing Amendment Bill 2021.

- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2):

- (1) the Order of the Day, Government Business, relating to the Commercial Tenancy Relief Scheme Bill 2021 be considered and completed by 7.00 pm on Wednesday 4 August 2021; and
- (2) the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 5 August 2021:

Judicial Proceedings Reports Amendment Bill 2021
 Police Informants Royal Commission Implementation Monitor Bill 2021

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 17

Lizzie Blandthorn; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Paul Edbrooke; Will Fowles; Matt Fregon; Dustin Halse; John Kennedy; Martin Pakula; Pauline Richards; Robin Scott; Suzanna Sheed; Ros Spence; Meng Heang Tak; Kat Theophanous; Vicki Ward.

NOES 10

Neil Angus; Roma Britnell; Tim Bull; Cindy McLeish; Danny O'Brien; Steph Ryan; Louise Staley; Bridget Vallence; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Daniel Andrews; Chris Brayne; Josh Bull; Ben Carroll; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Tim Pallas; Danny Pearson; Michaela Settle; Nick Staikos; Natalie Suleyman; Jackson Taylor; Mary-Anne Thomas; Gabrielle Williams.

NOES

James Newbury; Russell Northe; Michael O'Brien.

- 17 **STATEMENTS BY MEMBERS** — Members made statements.

Ms Staley presented a petition requesting that the Legislative Assembly calls on the Government to provide better access to childcare services for the various Loddon Shire communities, bearing 58 signatures.

- 18 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 1 to 4 inclusive, be postponed until later this day.

- 19 **POLICE INFORMANTS ROYAL COMMISSION IMPLEMENTATION MONITOR BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under the resolution of the House today.

- 20 **QUESTION TIME** — (Under Sessional Order 9).

- 21 **POLICE INFORMANTS ROYAL COMMISSION IMPLEMENTATION MONITOR BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Mr Southwick announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2021–22 budget papers; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.31 pm.

No 114 — Wednesday 4 August 2021

1 The House met in accordance with the terms of its resolution on Tuesday 3 August 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Portarlington residential development — Requesting that the Legislative Assembly calls on the Government to reject the proposed development of a five storey apartment block at 49 Newcombe Street, Portarlington, bearing 2081 signatures (*Mr Cheeseman*).

Ordered to be tabled.

3 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Integrated Transport Planning — Ordered to be published

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Gasworks Park Reserve

Orders under s 17D granting leases over:

Pakenham Bushland Reserve

Williamstown Botanic Gardens Reserve

Ombudsman — The Ombudsman for Human Rights: A Casebook — Ordered to be published

Planning and Environment Act 1987 — Notice of approval of an amendment to the Victoria Planning Provisions — VC206

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 63, 77.

4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Energy Legislation Amendment (Energy Fairness) Bill 2021

Victorian Civil and Administrative Tribunal and Other Acts Amendment (Federal Jurisdiction and Other Matters) Bill 2021.

5 **COMMITTEE REFERENCES** — Motion made, by leave, and question — That this House refers:

- (1) an inquiry into support for elderly migrants and refugees to the **Legal and Social Issues Standing Committee** for consideration and report no later than 17 February 2022 and the Committee should consider the needs of older Victorians from migrant and refugee backgrounds including, but not limited to, an examination of the:

- (a) adequacy of services for older Victorians from migrant and refugee backgrounds;
 - (b) unique challenges faced by this cohort, including, but not limited to, social isolation, civic participation, digital literacy, elder abuse and access to culturally appropriate aged care and home care services; and
 - (c) ideas to advance the physical and mental health and wellbeing of Victoria's multicultural seniors including global best practices;
- (2) an inquiry into Commonwealth support for Victoria to the **Economy and Infrastructure Standing Committee** for consideration and report no later than 30 March 2022 and the Committee should consider various issues associated with the inadequacy of Commonwealth support for Victoria, including, but not limited to:
- (a) Victoria's share of federal GST funding; and
 - (b) the expiration of the 'no worse off' GST guarantee;
- (3) an inquiry into apartment design standards to the **Environment and Planning Standing Committee** for consideration and report no later than 30 March 2022 and the Committee should consider better apartment design standards, in a global context including, but not limited to, an examination of the:
- (a) current apartment living standards in Victoria;
 - (b) improvements that can be made to the liveability in apartments and apartment building developments, including communal areas; and
 - (c) initiatives undertaken by other states or nations that have improved apartment design standards; and
- (4) an inquiry into whether Victoria should participate in a national electoral roll platform to the **Electoral Matters Committee** for consideration and report no later than 16 March 2022 and the Committee should consider:
- (a) the possible implications, if any, of a national electoral roll platform on the independence of the Victorian Electoral Commission;
 - (b) the security and integrity of Victoria's electoral system; and
 - (c) mechanisms to ensure the security and integrity of electoral systems and events in other jurisdictions around Australia and internationally to determine best practice

(Ms Allan) — put and agreed to.

7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

8 **BUILDING AMENDMENT (REGISTRATION AND OTHER MATTERS) BILL 2021** — Mr Wynne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 18 August 2021.

9 **SOCIAL SERVICES REGULATION BILL 2021** — Mr Donnellan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 18 August 2021.

10 **COMMERCIAL TENANCY RELIEF SCHEME BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 3 August 2021.

11 **QUESTION TIME** — (Under Sessional Order 9).

12 **COMMERCIAL TENANCY RELIEF SCHEME BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **TRANSPORT LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2021** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 14 **COMMERCIAL TENANCY RELIEF SCHEME BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 4.00 pm under the resolution of the House on Tuesday 3 August 2021.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — TOUGH ON CRIME POLITICS** — The Speaker read Dr Read's proposal to the House —

'That this House condemns the tough on crime politics of the Andrews Labor Government and its predecessors, which have produced bail laws that systematically imprison women, children and First Nations people for low level offending, noting:

- (1) from 2010 to 2020, imprisonment of women rose 174 per cent;
- (2) more than half the women now in prison have not been sentenced;
- (3) from 2015 to 2020 the number of Aboriginal people put behind bars rose by 70 per cent; and
- (4) the growing calls from the community to raise the age of criminal responsibility from 10 to 14 years.'

Dr Read addressed the House — Discussion followed.

- 16 **COMMERCIAL TENANCY RELIEF SCHEME BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of this bill under the resolution of the House on Tuesday 3 August 2021 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.38 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 115 — Thursday 5 August 2021

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Victoria's breast screen service — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services, bearing 87 signatures (*Mr Hodgett*).

Ordered to be tabled.

- 3 **PETITION — VICTORIA'S BREAST SCREEN SERVICE** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.
- 4 **DOCUMENTS**

PLAN MELBOURNE 2017–2050 — Report on Progress 2020 tabled by leave (*Mr Wynne*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Child Wellbeing and Safety Act 2005 — Child Link Two-Year Review under s 46X

Falls Creek Alpine Resort Management Board — Report 2020

Mount Hotham Alpine Resort Management Board — Report 2020

Mount Buller and Mount Stirling Alpine Resort Management Board — Report 2020

Professional Standards Act 2003:

Australian Institute of Building Surveyors Limited Professional Standards Scheme (*Gazette G26, 1 July 2021*)

Australian Property Institute Valuers Limited Professional Standards Scheme (*Gazette G26, 1 July 2021*)

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of the State of Emergency — 17th Report

Southern Alpine Resort Management Board — Report 2020

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 72, 73, 87, 94

Victorian Environmental Assessment Council Act 2001 — Government response to the Victorian Environmental Assessment Council's Assessment of Victoria's Coastal Reserves.

5 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 17 August 2021, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the next scheduled sitting or a rescheduled sitting should not proceed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to delay the next meeting and set a future day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(Mr Pakula) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Members made statements.

7 **JUDICIAL PROCEEDINGS REPORTS AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 3 August 2021.

8 **QUESTION TIME** — (Under Sessional Order 9).

9 **JUDICIAL PROCEEDINGS REPORTS AMENDMENT BILL 2021** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

10 **ADDRESSES ON ROYAL COMMISSION INTO VICTORIA'S MENTAL HEALTH SYSTEM** — Order read for resuming debate on question — That this House takes note of the addresses given at

the special sitting at the Royal Exhibition Building on 2 March 2021 for the presentation of the Final Report of the Royal Commission into Victoria's Mental Health System; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Horne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2021–22 budget papers; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 3 August 2021 had expired.

- 12 **POLICE INFORMANTS ROYAL COMMISSION IMPLEMENTATION MONITOR BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **JUDICIAL PROCEEDINGS REPORTS AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 14 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.23 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

VOTES AND PROCEEDINGS

Nos 116, 117 and 118

No 116 — Tuesday 7 September 2021

- 1 The House met in accordance with the terms of its resolution on Thursday 5 August 2021, the Speaker having fixed today at 2.30 pm as the time of meeting — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 10 September 2021:

Order of business

- (1) The order of business is:

Tuesday

Questions without notice and ministers' statements
Formal business
Government business

Wednesday

Questions without notice and ministers' statements
Formal business
Government business
Grievance debate — 5.30 pm
Government business *continued*

Thursday

Questions without notice and ministers' statements
Formal business
Government business.

- (2) The processes for interruptions under Sessional Orders 2 and 3(4) apply at the times set out in paragraph (1).

Time of meeting

- (3) Unless otherwise ordered, the House will meet each Wednesday and Thursday at 2.30 pm.

Automatic interruption and no adjournment debates

- (4) The Chair will interrupt business each day at 7.30 pm and SO 32 applies accordingly. There will be no adjournment debate.

Cleaning in the Chamber

- (5) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Face masks in the Chamber

- (6) Members must wear face masks in the Chamber except when they have the call to speak or if an exception applies.

Reduced numbers of members to assist with physical distancing

- (7) Subject to paragraphs (11) and (12), the House will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members on the floor of the Chamber.
- (8) Except as provided for in paragraphs (11) and (12), if more members than those listed in paragraph (7) vote in a division, the Clerk will not count their vote.

Quorum

- (9) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (10) If, under paragraph (9) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (7) are suspended until a quorum is formed.
- (11) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (7) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (12) For questions relating to the passage of bills on the government business program, the provisions of paragraph (7) are suspended and divisions will take place as follows:
- (a) the Chair will direct that the lower public galleries be cleared for the duration of the division;
 - (b) members will vote in up to four voting groups;
 - (c) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) subject to subparagraph (e), all members except the Chair must then leave the Chamber;
 - (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (7), as required;
 - (d) subject to subparagraph (e), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
 - (e) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
 - (f) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (13) If a division has taken place, a member not in attendance for the division can register their opinion on the question:

- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') by no later than one hour after the division has been completed; and
- (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*.

Remote participation

- (14) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) questions without notice — to ask questions only;
 - (iv) grievance debates;
 - (v) a personal explanation;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;

-
- (vii) chair the debate;
 - (e) members participating remotely may circulate amendments to bills under SO 64;
 - (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
 - (i) the Speaker may issue guidelines about remote participation.

Other business to be published in Hansard

(15) Members may submit:

- (a) members' statements;
- (b) statements on parliamentary committee reports;
- (c) constituency questions; and
- (d) adjournment matters —

for each sitting day by emailing them to the Clerk by the adjournment of the House.

- (16) The Clerk will accept matters up to the number usually given in the House and allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (17) The House authorises and requires these matters to be published in Hansard at the end of each day's Hansard accordingly:

- (a) subject to the Hansard editorial policy; and
- (b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Incorporation of speeches

- (18) Members may incorporate their speeches for any bills on the government business program or substantive motions considered by the House that day.
- (19) Members must submit their speeches for incorporation by the following deadlines:
 - (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for substantive motions, by the adjournment of the House each day.
- (20) Incorporated speeches for bills and motions will be published in Hansard —
 - (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister’s reply (if any); and
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover’s reply (if any).
- (21) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published

(Ms Allan) — put and agreed to.

3 QUESTIONS WITHOUT NOTICE AND MINISTERS’ STATEMENTS

- 4 **DEPUTY ELECTORAL COMMISSIONER** — The Speaker advised that, on 16 August 2021, he administered to Dana Fleming, the Deputy Electoral Commissioner, the affirmation required by s 16 of the *Electoral Act 2002*.
- 5 **SUBURBAN RAIL LOOP BILL 2021** — Ms Allan introduced ‘*A Bill for an Act to establish the Suburban Rail Loop Authority and confer on the Authority appropriate functions and powers for the Authority to plan and deliver the Suburban Rail Loop and development associated with the Suburban Rail Loop and to enable the Authority to operate, or manage the operation of, the Suburban Rail Loop, or to manage development associated with the Suburban Rail Loop and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 6 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2021** — Mr Foley introduced ‘A Bill for an Act to amend the **Assisted Reproductive Treatment Act 2008**, to consequentially amend the **Status of Children Act 1974** and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **FIREARMS AND OTHER ACTS AMENDMENT BILL 2021** — Ms Neville introduced ‘A Bill for an Act to amend the **Control of Weapons Act 1990**, the **Criminal Procedure Act 2009**, the **Evidence (Miscellaneous Provisions) Act 1958**, the **Firearms Act 1996**, the **Sex Offenders Registration Act 2004** and the **Victoria Police Act 2013** and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION AMENDMENT BILL 2021** — Ms D’Ambrosio introduced ‘A Bill for an Act to amend the **Great Ocean Road and Environs Protection Act 2020** in relation to land management of the Great Ocean Road coast and parks, to further provide for functions and powers of the Great Ocean Road Coast and Parks Authority, to provide for the transfer of public land management to that Authority, to consequentially amend other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **ESSENTIAL SERVICES COMMISSION (COMPLIANCE AND ENFORCEMENT POWERS) AMENDMENT BILL 2021** — Mr Pearson introduced ‘A Bill for an Act to amend the **Essential Services Commission Act 2001**, the **Electricity Industry Act 2000**, the **Gas Industry Act 2001**, the **Victorian Energy Efficiency Target Act 2007**, the **Victorian Renewable Energy Act 2006**, the **Water Industry Act 1994**, the **Energy Legislation Amendment Act 2021** and the **Energy Legislation Amendment (Energy Fairness) Act 2021** and to make consequential and minor amendments to other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 **DOCUMENTS**

HOMES VICTORIA — GROUND LEASE MODEL PROJECT — Project summary tabled by leave (Mr Wynne).

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Blandthorn, Chair, tabled a report from the Public Accounts and Estimates Committee on the Inquiry into the Parliamentary Budget Officer, together with appendices and transcripts of evidence.

Report and appendices ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 10 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Building Amendment (Registration and Other Matters) Bill 2021

Commercial Tenancy Relief Scheme Act 2021

Judicial Proceedings Reports Amendment Bill 2021

Members of Parliament (Standards) Amendment Bill 2021

Social Services Regulation Bill 2021

SR No 13 — Sale of Land (Exemption) Regulations 2020

SR No 25 — Education and Training Reform Amendment Regulations 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Clinical Governance: Department of Health — Ordered to be published

Major Infrastructure Program Delivery Capability — Ordered to be published

Duties Act 2000 — Report 1 January to 30 June 2021 of Foreign Purchaser Additional Duty Exemptions under s 3E

Infrastructure Victoria — Victoria's infrastructure strategy 2021–2051 (two volumes)

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by members of the Legislative Assembly — Ordinary returns 28 July 2021 (two volumes) — Ordered to be published

Parliamentary Salaries, Allowances and Superannuation Act 1968 — Compliance Officer — Statement of Findings under s 9H — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C351, C359

Brimbank — C210

Cardinia — GC190

Casey — C278

Darebin — C161

East Gippsland — C154, C158

Golden Plains — C97

Greater Shepparton — C232

Latrobe — C130

Macedon Ranges — C126 Part 1

Maribyrnong — C158, C159, C161

Melbourne — C371, C392

Melton — C218, GC190

Mildura — C112

Mitchell — C151

Moreland — C189

Mornington Peninsula — C253, C285

Nillumbik — C139, GC92
 Port Phillip — C167, C181, C193
 Surf Coast — GC190
 Wangaratta — C55
 Whittlesea — GC92
 Wyndham — C241, GC190
 Victorian Planning Provisions — VC171, VC196
 Yarra — C270, C295
 Yarra Ranges — C177

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SR 113
Commercial Tenancy Relief Scheme Act 2021 — SR 103
Conservation, Forests and Lands Act 1987 — SR 110
County Court Act 1958 — SR 98
Forests Act 1958 — SR 108
Gene Technology Act 2001 — SR 94
Land Act 1958 — SRs 107, 109
Long Service Benefits Portability Act 2018 — SR 95
Magistrates' Court Act 1989 — SRs 101, 102
Occupational Health and Safety Act 2004 — SR 112
Personal Safety Intervention Orders Act 2010 — SRs 99, 101, 113
Planning and Environment Act 1987 — SR 100
Public Health and Wellbeing Act 2008 — SR 96
Professional Engineers Registration Act 2019 — SR 106
Road Safety Act 1986 — SR 111
Supreme Court Act 1986 — SRs 104, 105
Victorian Energy Efficiency Target Act 2007 — SR 97

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 13/2020, 59, 60, 76, 80, 82, 83, 92, 95, 96, 98, 99, 100, 101, 102, 104, 105, 106, 107, 108, 109, 111, 112, 113

Documents under s 16B in relation to:

Education and Training Reform Act 2006 — Ministerial Order No 1328 — Order amending Ministerial Order No 1038 — Teaching Service (Employment Conditions, Salaries, Allowances, Selection and Conduct) Order 2017 and Ministerial Order No 1039 — School Council Employees (Employment Conditions, Salaries, Allowances and Selection) Order 2017

Planning and Environment Act 1987 — Ministerial Direction No 1 — Potentially Contaminated Land

Victorian Electoral Commission — Report to Parliament on the 2020 Local Government elections

Victorian Information Commissioner, Office of (OVIC) — Impediments to timely FOI and information release: own-motion investigation under s 61O of the *Freedom of Information Act 1982* — Ordered to be published

Voluntary Assisted Dying Review Board — Report of operations January to June 2021.

DOCUMENTS TABLED UNDER STANDING ORDERS — The Clerk tabled the following documents under standing orders:

Economy and Infrastructure Standing Committee — Report on the Inquiry into access to TAFE for learners with disability, together with an appendix and transcripts of evidence — Report and appendix published by authority of the Assembly under SO 224(3)

Government response to the Legal and Social Issues Standing Committee's Report on the Inquiry into anti-vilification protections

Proclamations fixing operative dates:

Cemeteries and Crematoria Amendment Act 2021 — Parts 1, 2 and 4 — 15 November 2021 (*Gazette S460, 24 August 2021*)

Justice Legislation Amendment (System Enhancements and Other Matters) Act 2021 — Part 22 — 9 August 2021 (*Gazette S420, 3 August 2021*)

Transport Legislation Amendment Act 2020 — Sections 43, 44, 46, 47 and 48 — 25 August 2021 (*Gazette S460, 24 August 2021*); section 32(2) — 31 August 2021 (*Gazette S473, 31 August 2021*)

Transport Legislation Miscellaneous Amendments Act 2021 — Division 3 of Part 8 — 25 August 2021 (*Gazette S460, 24 August 2021*).

- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Commercial Tenancy Relief Scheme Bill 2021

Non-Emergency Patient Transport Amendment Bill 2021.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 10 August 2021, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Commercial Tenancy Relief Scheme Bill 2021

Energy Legislation Amendment (Energy Fairness) Bill 2021

Non-Emergency Patient Transport Amendment Bill 2021

Transport Legislation Miscellaneous Amendments Bill 2021

Victorian Civil and Administrative Tribunal and Other Acts Amendment (Federal Jurisdiction and Other Matters) Bill 2021.

- 13 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Social Services Regulation Bill 2021.

- 14 **ENVIRONMENT AND PLANNING STANDING COMMITTEE** — Motion made, by leave, and question — That the reporting date for the Environment and Planning Standing Committee's Inquiry into Apartment Design Standards be extended to no later than 30 June 2022 (*Ms Allan*) — put and agreed to.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 7.30 pm on Thursday 9 September 2021:

Liquor Control Reform Amendment Bill 2021
 Occupational Health and Safety and Other Legislation Amendment Bill 2021
 Racing Amendment Bill 2021
 Social Services Regulation Bill 2021

(Ms Allan) — after debate, put and agreed to.

- 16 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 1 to 4 inclusive, be postponed until later this day.

- 17 **OCCUPATIONAL HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government has fully addressed concerns about the appropriateness of the provisions in the Bill relating to powers of entry and offences by authorised representatives’ *(Mr Morris)* — and, after debate —

[The Speaker left the Chair at 5.50 pm and resumed it at 6.03 pm]

Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned *(Ms Williams)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **LIQUOR CONTROL REFORM AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms Williams on behalf of Ms Horne announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Ms Ryan announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.30 pm under the resolution of the House today.

- 19 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 7.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 117 — Wednesday 8 September 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 7 September 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Victoria's breast screen service — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services, bearing 51 signatures (*Ms McLeish*)

Childcare in Loddon Shire — Requesting that the Legislative Assembly calls on the Government to provide better access to childcare services for the various Loddon Shire communities, bearing 719 signatures (*Ms Staley*).

Petitions ordered to be tabled.

- 4 **PETITION — CHILDCARE IN LODDON SHIRE** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

- 5 **PETITION — VICTORIA'S BREAST SCREEN SERVICE** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

6 **DOCUMENTS**

LEGAL AND SOCIAL ISSUES STANDING COMMITTEE — Ms Suleyman, Chair, tabled a report from the Legal and Social Issues Standing Committee on the Inquiry into responses to historical forced adoption in Victoria, together with appendices and transcripts of evidence.

Report and appendices ordered to be published.

DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following document under an Act of Parliament:

Auditor-General — Managing Conflicts of Interest in Procurement — Ordered to be published.

- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Judicial Proceedings Reports Amendment Bill 2021 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 8 **SUBURBAN RAIL LOOP BILL 2021** — Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for six days. Debate adjourned until Tuesday 14 September 2021.

- 9 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2021** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for six days. Debate adjourned until Tuesday 14 September 2021.

- 10 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION AMENDMENT BILL 2021** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for six days. Debate adjourned until Tuesday 14 September 2021.

- 11 **ESSENTIAL SERVICES COMMISSION (COMPLIANCE AND ENFORCEMENT POWERS) AMENDMENT BILL 2021** — Mr Pearson tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pearson*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 22 September 2021.

- 12 **OCCUPATIONAL HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government has fully addressed concerns about the appropriateness of the provisions in the Bill relating to powers of entry and offences by authorised representatives’; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **SOCIAL SERVICES REGULATION BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Pakula on behalf of Mr Donnellan announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 5.30 pm under the resolution of the House on Tuesday 7 September 2021.

- 14 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

Business was interrupted at 7.30 pm under the resolution of the House on Tuesday 7 September 2021.

- 15 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 7.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 118 — Thursday 9 September 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 7 September 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

- 3 **MENTAL HEALTH (COUNSELLORS) AMENDMENT BILL 2021** — Motion made and question — That the Member for Lowan introduce 'A Bill for an Act to amend the **Mental Health Act 2014** to provide that counsellors are mental health practitioners for the purposes of the Act and for other purposes' (Ms Kealy) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 9

Neil Angus; Roma Britnell; Matthew Guy; Emma Kealy; Ellen Sandell; Suzanna Sheed; David Southwick; Peter Walsh; Kim Wells.

NOES 13

Jacinta Allan; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Steve Dimopoulos; Paul Edbrooke; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; Ros Spence.

Question defeated.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Brad Battin; Gary Blackwood; Neale Burgess; David Hodgett; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling.

NOES

Juliana Addison; Daniel Andrews; Lizzie Blandthorn; Ben Carroll; Christine Couzens; Lily D'Ambrosio; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Katie Hall; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

- 4 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents under an Act of Parliament:

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 114.

- 5 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Education and Training Reform Amendment (Victorian Academy of Teaching and Leadership) Bill 2021

Energy Legislation Amendment Bill 2021

Police Informants Royal Commission Implementation Monitor Bill 2021.

- 6 **SITTING OF THE HOUSE** — Motion made and question — That:

(1) The House, at its rising, adjourns until Tuesday 14 September 2021 at 2.30 pm, or an earlier day and hour to be fixed by the Speaker.

(2) If, in the opinion of the Speaker, the date of the next scheduled sitting or a rescheduled sitting should be changed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to set a new day and hour to meet.

(3) The Speaker will notify members of any changes to the next sitting date

(Ms Allan) — after debate, put and agreed to.

- 7 **FIREARMS AND OTHER ACTS AMENDMENT BILL 2021** — Ms Neville tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time *(Ms Neville)*.

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned *(Mr Southwick)* — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 23 September 2021.

- 8 **RACING AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Horne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 9 **SOCIAL SERVICES REGULATION BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Cheeseman*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 4 to 9 inclusive, be postponed until later this day.

- 11 **JUDICIAL PROCEEDINGS REPORTS AMENDMENT BILL 2021** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 12 **LIQUOR CONTROL REFORM AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Dr Read announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Pearson*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **OCCUPATIONAL HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Government has fully addressed concerns about the appropriateness of the provisions in the bill relating to powers of entry and offences by authorised representatives'; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 September 2021 had expired.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 41

Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Matt Fregon; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 14

Brad Battin; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Richard Riordan; Brad Rowswell; Ryan Smith; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Daniel Andrews; Christine Couzens; Maree Edwards; John Eren; Will Fowles; Katie Hall; Jill Hennessy; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Tim Richardson; Kat Theophanous.

NOES

Russell Northe; Danny O'Brien; Michael O'Brien; Louise Staley.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

14 **RACING AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Jacinta Allan; Brad Battin; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Martin Foley; Matt Fregon; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; David Hodgett; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; Cindy McLeish; David Morris; James Newbury; Danny Pearson; Pauline Richards; Richard Riordan; Brad Rowswell; Robin Scott; Michaela Settle; Ryan Smith; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Vicki Ward; Kim Wells; Gabrielle Williams; Richard Wynne.

NOES 3

Sam Hibbins; Tim Read; Ellen Sandell.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Daniel Andrews; Tim Bull; Christine Couzens; Maree Edwards; John Eren; Will Fowles; Katie Hall; Jill Hennessy; James Merlino; Lisa Neville; Russell Northe; Danny O'Brien; Michael O'Brien; Martin Pakula; Tim Pallas; Tim Richardson; Kat Theophanous.

Bill sent to the Legislative Council and their agreement requested.

- 15 **SOCIAL SERVICES REGULATION BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 13 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **LIQUOR CONTROL REFORM AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 3 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 7.57 pm under the resolution of the House on Tuesday 7 September 2021.

- 17 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 7.57 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

VOTES AND PROCEEDINGS

Nos 119, 120 and 121

No 119 — Tuesday 14 September 2021

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 17 September 2021:

Order of business

- (1) The order of business is:

Tuesday

Questions without notice and ministers' statements

Formal business

Government business

Wednesday

Questions without notice and ministers' statements

Formal business

Government business

Matter of public importance — 5.30 pm

Government business *continued*

Thursday

Questions without notice and ministers' statements

Formal business

Government business.

- (2) The processes for interruptions under Sessional Orders 2 and 3(4) apply at the times set out in paragraph (1).

Time of meeting

- (3) Unless otherwise ordered, the House will meet each Wednesday and Thursday at 2.30 pm.

Automatic interruption and no adjournment debates

- (4) The Chair will interrupt business each day at 7.30 pm and SO 32 applies accordingly. There will be no adjournment debate.

Cleaning in the Chamber

- (5) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Face masks in the Chamber

- (6) Members must wear face masks in the Chamber except when they have the call to speak or if an exception applies.

Reduced numbers of members to assist with physical distancing

- (7) Subject to paragraphs (11) and (12), the House will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members on the floor of the Chamber.
- (8) Except as provided for in paragraphs (11) and (12), if more members than those listed in paragraph (7) vote in a division, the Clerk will not count their vote.

Quorum

- (9) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (10) If, under paragraph (9) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (7) are suspended until a quorum is formed.
- (11) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (7) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (12) For questions relating to the passage of bills on the government business program, the provisions of paragraph (7) are suspended and divisions will take place as follows:
- (a) the Chair will direct that the lower public galleries be cleared for the duration of the division;
 - (b) members will vote in up to four voting groups;
 - (c) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) subject to subparagraph (e), all members except the Chair must then leave the Chamber;
 - (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (7), as required;
 - (d) subject to subparagraph (e), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
 - (e) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
 - (f) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (13) If a division has taken place, a member not in attendance for the division can register their opinion on the question:

- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') by no later than one hour after the division has been completed; and
- (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*.

Remote participation

- (14) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) questions without notice — to ask questions only;
 - (iv) matters of public importance;
 - (v) a personal explanation;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;

-
- (vii) chair the debate;
 - (e) members participating remotely may circulate amendments to bills under SO 64;
 - (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
 - (i) the Speaker may issue guidelines about remote participation.

Other business to be published in Hansard

(15) Members may submit:

- (a) members' statements;
- (b) statements on parliamentary committee reports;
- (c) constituency questions; and
- (d) adjournment matters —

for each sitting day by emailing them to the Clerk by the adjournment of the House.

- (16) The Clerk will accept matters up to the number usually given in the House and allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (17) The House authorises and requires these matters to be published in Hansard at the end of each day's Hansard accordingly:

- (a) subject to the Hansard editorial policy; and
- (b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Incorporation of speeches

- (18) Members may incorporate their speeches for any bills on the government business program or substantive motions considered by the House that day.
- (19) Members must submit their speeches for incorporation by the following deadlines:
 - (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for substantive motions, by the adjournment of the House each day.
- (20) Incorporated speeches for bills and motions will be published in Hansard —
 - (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any); and
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any).
- (21) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published

(Mr Pakula) — after debate, put and agreed to.

3 QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS

- 4 **EDUCATION AND TRAINING REFORM AMENDMENT (SENIOR SECONDARY PATHWAYS REFORMS AND OTHER MATTERS) BILL 2021** — Mr Merlino introduced '*A Bill for an Act to amend the **Education and Training Reform Act 2006** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 5 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2021** — Ms Neville introduced '*A Bill for an Act to amend the **Water Act 1989** and the **Catchment and Land Protection Act 1994**, to make consequential and related amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2021** — Ms Hutchins introduced ‘A Bill for an Act to amend the **Terrorism (Community Protection) Act 2003** in relation to radicalisation towards violent extremism and the protection of counter-terrorism intelligence, to require a further review of the operation of the Act, to delay the expiry of that Act, to make consequential and related amendments to certain other Acts and to amend the **Victorian Institute of Forensic Medicine Act 1985** to update a reference to a repealed Act and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **FORESTS AMENDMENT (FOREST FIREFIGHTERS PRESUMPTIVE RIGHTS COMPENSATION) BILL 2021** — Ms D’Ambrosio introduced ‘A Bill for an Act to amend the **Forests Act 1958** to provide a rebuttable presumption for forest firefighters suffering from specified forms of cancer that the cancer is presumed to be due to the nature of their employment for the purposes of claiming compensation under the **Workplace Injury Rehabilitation and Compensation Act 2013** and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **DOCUMENTS**

ELECTORAL MATTERS COMMITTEE — Ms Hall tabled a report from the Electoral Matters Committee on the Inquiry into the impact of social media on Victorian elections and Victoria’s electoral administration, together with appendices, an extract from the proceedings, and transcripts of evidence.

Report, appendices and extract from the proceedings ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, tabled a report from the Scrutiny of Acts and Regulations Committee on the Annual Review 2020, Regulations and Legislative Instruments, together with appendices.

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, tabled the Alert Digest No 11 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

- Assisted Reproductive Treatment Amendment Bill 2021
- Great Ocean Road and Environs Protection Amendment Bill 2021
- Occupational Health and Safety and Other Legislation Amendment Bill 2021
- Suburban Rail Loop Bill 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Greater Bendigo — C243
 Hobsons Bay — C126
 Macedon Ranges — C131
 Maroondah — C131
 Monash — C156

Statutory Rule 114 under the *Victorian Civil and Administrative Tribunal Act 1998*

Victoria Police, Chief Commissioner — Report 2020–21 under s 148R of the *Liquor Control Reform Act 1998*.

- 9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, today, given the royal assent to the following bills, presented to her by the Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

Education and Training Reform Amendment (Victorian Academy of Teaching and Leadership) Bill 2021
 Energy Legislation Amendment Bill 2021
 Police Informants Royal Commission Implementation Monitor Bill 2021.

- 10 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Essential Services Commission (Compliance and Enforcement Powers) Amendment Bill 2021
 Great Ocean Road and Environs Protection Amendment Bill 2021
 Suburban Rail Loop Bill 2021.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 7.30 pm on Thursday 16 September 2021:

Assisted Reproductive Treatment Amendment Bill 2021
 Building Amendment (Registration and Other Matters) Bill 2021
 Great Ocean Road and Environs Protection Amendment Bill 2021
 Suburban Rail Loop Bill 2021

(Mr Pakula) — after debate, put and agreed to.

- 12 **BUILDING AMENDMENT (REGISTRATION AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Wynne announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Fregon*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 6 inclusive, be postponed until later this day.

- 14 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2021–22 budget papers; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.30 pm under the resolution of the House today.

- 16 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 7.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 120 — Wednesday 15 September 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 14 September 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

- 3 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Planning and Environment Act 1987 — Notice of approval of an amendment to the Victoria Planning Provisions — VC211

Statutory Rule 115 under the *Courts (Case Transfer) Act 1991*.

- 4 **EDUCATION AND TRAINING REFORM AMENDMENT (SENIOR SECONDARY PATHWAYS REFORMS AND OTHER MATTERS) BILL 2021** — Mr Merlino tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 29 September 2021.

- 5 **FORESTS AMENDMENT (FOREST FIREFIGHTERS PRESUMPTIVE RIGHTS COMPENSATION) BILL 2021** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 29 September 2021.

- 6 **TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2021** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Ryan*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 29 September 2021.

- 7 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government has provided adequate time for consultation with stakeholders to assess the impact of this Bill and has released the proposed regulations’ (*Ms Vallenge*) — and, after debate —

Business was interrupted at 5.30 pm under the resolution of the House on Tuesday 14 September 2021.

- 8 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIAN GOVERNMENT SUPPORT FOR THE COMMONWEALTH VACCINE ROLLOUT** — The Speaker read Mr Carbin’s proposal to the House —

‘That this House notes the Andrews Labor Government’s efforts to support the Commonwealth Government’s vaccine rollout, noting specifically that:

- (1) Victoria deserves its fair share of vaccines from the Commonwealth;
- (2) Victoria’s state-run vaccine clinics are leading the nation in delivering AstraZeneca vaccinations; and
- (3) Victoria’s economy will be able to open up to vaccinated Victorians, in line with the National Cabinet plan.’

Mr Carbin addressed the House — Discussion followed.

Business was interrupted at 7.30 pm under the resolution of the House on Tuesday 14 September 2021.

- 9 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 121 — Thursday 16 September 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 14 September 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

3 **DOCUMENTS**

REVIEW OF THE *TERRORISM (COMMUNITY PROTECTION) ACT 2003* — Stage Two Report tabled by leave (*Ms Hutchins*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Public Health and Wellbeing Act 2008:

Declaration under s 126

Report to Parliament on the Extension of the Declaration of the State of Emergency — 18th Report

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 103, 115.

4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Occupational Health and Safety and Other Legislation Amendment Bill 2021
Social Services Regulation Bill 2021.

5 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 5 October 2021 at 2.30 pm, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the date of the next scheduled sitting or a rescheduled sitting should be changed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to set a new day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(*Ms Allan*) — after debate, put and agreed to.

6 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2021** — Mr Wynne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Walsh*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 30 September 2021.

- 7 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Fregon*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 8 **SUBURBAN RAIL LOOP BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government re-establishes a public works committee to oversee all major public works in Victoria, including the Suburban Rail Loop, given the massive cost overruns, serious time delays, contractual disputes and inadequate business cases for the Suburban Rail Loop and other major projects’ (*Ms Staley*) — and, after debate —

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 14 September 2021 had expired.

Motion made, by leave, and question — That Sessional Order 15 be suspended to allow the bells to be rung for one minute per division to remain in place until the House adjourns (*Ms Staley*) — put and agreed to.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 35

Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D’Ambrosio; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Melissa Horne; Natalie Hutchins; Sonya Kilkenny; Gary Maas; Frank McGuire; Martin Pakula; Danny Pearson; Pauline Richards; Robin Scott; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 14

Brad Battin; Neale Burgess; David Hodgett; Tim McCurdy; James Newbury; Danny O’Brien; Richard Riordan; Brad Rowswell; Ryan Smith; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Daniel Andrews; Christine Couzens; Steve Dimopoulos; John Eren; Paul Hamer; Jill Hennessy; John Kennedy; Stephen McGhie; James Merlino; Lisa Neville; Tim Pallas; Tim Richardson; Michaela Settle; Jackson Taylor; Kat Theophanous.

NOES

Tim Bull; Emma Kealy; Cindy McLeish; Russell Northe; Steph Ryan.

Question — That this bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 9 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government has provided adequate time for consultation with stakeholders to assess the impact of this Bill and has released the proposed regulations’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 35

Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D’Ambrosio; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Melissa Horne; Natalie Hutchins; Sonya Kilkenny; Gary Maas; Frank McGuire; Martin Pakula; Danny Pearson; Pauline Richards; Robin Scott; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 17

Brad Battin; Neale Burgess; Sam Hibbins; David Hodgett; Tim McCurdy; James Newbury; Danny O’Brien; Tim Read; Richard Riordan; Brad Rowswell; Ellen Sandell; Ryan Smith; Louise Staley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Daniel Andrews; Christine Couzens; Steve Dimopoulos; John Eren; Paul Hamer; Jill Hennessy; John Kennedy; Stephen McGhie; James Merlino; Lisa Neville; Tim Pallas; Tim Richardson; Michaela Settle; Jackson Taylor; Kat Theophanous.

NOES

Tim Bull; Emma Kealy; Cindy McLeish; Russell Northe; Steph Ryan.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 35

Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D'Ambrosio; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Melissa Horne; Natalie Hutchins; Sonya Kilkenny; Gary Maas; Frank McGuire; Martin Pakula; Danny Pearson; Pauline Richards; Robin Scott; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 17

Brad Battin; Neale Burgess; Sam Hibbins; David Hodgett; Tim McCurdy; James Newbury; Danny O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Ellen Sandell; Ryan Smith; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Daniel Andrews; Christine Couzens; Steve Dimopoulos; John Eren; Paul Hamer; Jill Hennessy; John Kennedy; Stephen McGhie; James Merlino; Lisa Neville; Tim Pallas; Tim Richardson; Michaela Settle; Jackson Taylor; Kat Theophanous.

Noes

Tim Bull; Emma Kealy; Cindy McLeish; Russell Northe; Steph Ryan.

Bill sent to the Legislative Council and their agreement requested.

10 **BUILDING AMENDMENT (REGISTRATION AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 3 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 7.56 pm under the resolution of the House on Tuesday 14 September 2021.

- 12 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 7.56 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 122, 123 and 124

No 122 — Tuesday 5 October 2021

- 1 The House met in accordance with the terms of its resolution on Thursday 16 September 2021, the Speaker having fixed today at 9.00 am as the time of meeting — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 8 October 2021:

Order of business

- (1) The order of business is:

Tuesday

Formal business

Government business

Questions without notice and ministers' statements — 1.00 pm

Government business *continued*

Wednesday

Formal business

Government business

Matter of public importance — 11.00 am

Government business *continued*

Questions without notice and ministers' statements — 1.00 pm

Government business *continued*

Thursday

Formal business

Government business

Questions without notice and ministers' statements — 1.00 pm

Government business *continued*.

- (2) The processes for interruptions under Sessional Orders 2 and 3(4) apply at the times set out in paragraph (1).

Time of meeting

- (3) Unless otherwise ordered, the House will meet each Wednesday and Thursday at 9.00 am.

Automatic interruption and no adjournment debates

- (4) The Chair will interrupt business each day at 2.00 pm and SO 32 applies accordingly. There will be no adjournment debate.

Cleaning in the Chamber

- (5) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Face masks in the Chamber

- (6) Members must wear face masks in the Chamber except when they have the call to speak or if an exception applies.

Reduced numbers of members to assist with physical distancing

- (7) Subject to paragraphs (11) and (12), the House will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members on the floor of the Chamber.
- (8) Except as provided for in paragraphs (11) and (12), if more members than those listed in paragraph (7) vote in a division, the Clerk will not count their vote.

Quorum

- (9) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (10) If, under paragraph (9) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (7) are suspended until a quorum is formed.
- (11) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (7) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (12) For questions relating to the passage of bills on the government business program, the provisions of paragraph (7) are suspended and divisions will take place as follows:
- (a) the Chair will direct that the lower public galleries be cleared for the duration of the division;
 - (b) members will vote in up to four voting groups;
 - (c) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) subject to subparagraph (e), all members except the Chair must then leave the Chamber;
 - (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (7), as required;
 - (d) subject to subparagraph (e), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
 - (e) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
 - (f) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (13) If a division has taken place, a member not in attendance for the division can register their opinion on the question:

- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') by no later than one hour after the division has been completed; and
- (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*.

Remote participation

- (14) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) questions without notice — to ask questions only;
 - (iv) matters of public importance;
 - (v) a personal explanation;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;

-
- (vii) chair the debate;
 - (e) members participating remotely may circulate amendments to bills under SO 64;
 - (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
 - (i) the Speaker may issue guidelines about remote participation.

Other business to be published in Hansard

(15) Members may submit:

- (a) members' statements;
- (b) statements on parliamentary committee reports;
- (c) constituency questions; and
- (d) adjournment matters —

for each sitting day by emailing them to the Clerk by the adjournment of the House.

- (16) The Clerk will accept matters up to the number usually given in the House and allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (17) The House authorises and requires these matters to be published in Hansard at the end of each day's Hansard accordingly:

- (a) subject to the Hansard editorial policy; and
- (b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Incorporation of speeches

- (18) Members may incorporate their speeches for any bills on the government business program or substantive motions considered by the House that day.
- (19) Members must submit their speeches for incorporation by the following deadlines:
 - (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for substantive motions, by the adjournment of the House each day.
- (20) Incorporated speeches for bills and motions will be published in Hansard —
 - (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any); and
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any).
- (21) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published

(Ms Allan) — after debate, put and agreed to.

- 3 **HEALTH LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2021** — Mr Foley introduced '*A Bill for an Act to amend the **Health Services Act 1988** to establish a centralised electronic system to enable public hospitals and other specified health services to share specified patient health information, to make consequential amendments to the **Health Records Act 2001** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (CHILD PROTECTION) BILL 2021** — Mr Foley introduced '*A Bill for an Act to amend the **Children, Youth and Families Act 2005**, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Burgess, Deputy Chair, tabled the Alert Digest No 12 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Bail Amendment (Reducing Pre-trial Imprisonment of Women, Aboriginal, and Vulnerable Persons) Bill 2021

Education and Training Reform Amendment (Senior Secondary Pathways Reforms and Other Matters) Bill 2021

Essential Services Commission (Compliance and Enforcement Powers) Amendment Bill 2021

Firearms and Other Acts Amendment Bill 2021

Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021

Terrorism (Community Protection) Amendment Bill 2021

Transport Legislation Amendment (Transport Plan) Bill 2021

Water and Catchment Legislation Amendment Bill 2021

together with appendices.

Ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Riordan, Deputy Chair, tabled a report from the Public Accounts and Estimates Committee on the 2021–22 Budget Estimates, together with transcripts of evidence.

Report ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Major Projects Performance — Ordered to be published
Report 2020–21

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Sandringham Beach Park Reserve

Order under s 17D granting a lease over Tasma Terrace Reserve

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C340, C358

Cardinia — C228

Darebin — C197, C201, C205

Glen Eira — C230

Golden Plains — C94

Greater Bendigo — C272, C273

Hume — C256
 Maroondah — C142
 Melbourne — C308, C398, C411, C416
 Melton — C170
 Moira — C88
 Moreland — C207
 Stonnington — C311
 Victoria Planning Provisions — VC208
 Wangaratta — C81
 Whittlesea — C204
 Wodonga — C131
 Yarra — C294
 Yarra Ranges — C178

Project Development and Construction Management Act 1994 — Documents under s 9 in relation to the Bills Street Redevelopment (three documents)

Road Safety Camera Commissioner — Report 2020–21

Statutory Rules under the following Acts:

Bus Safety Act 2009 — SR 119
Commercial Passenger Vehicle Industry Act 2017 — SR 125
Conveyancers Act 2006 — SR 118
Environment Protection Act 2017 — SR 123
Road Safety Act 1986 — SRs 116, 121
Sheriff Act 2009 — SR 117
Status of Children Act 1974 — SR 122
Subdivision Act 1988 — SR 124
Tourist and Heritage Railways Act 2010 — SR 120

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 116, 117, 118, 119, 120, 121, 122, 124, 125

Documents under s 16B in relation to the *First Home Owner Grant and Home Buyer Schemes Act 2000* — Home Buyer Scheme Declaration (Victorian Homebuyer Fund).

- 6 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 21 September 2021, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Judicial Proceedings Reports Amendment Bill 2021
 Occupational Health and Safety and Other Legislation Amendment Bill 2021
 Social Services Regulation Bill 2021.

- 7 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 2.00 pm on Thursday 7 October 2021:

Essential Services Commission (Compliance and Enforcement Powers) Amendment Bill 2021
Firearms and Other Acts Amendment Bill 2021
Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021
Water and Catchment Legislation Amendment Bill 2021

(Ms Allan) — after debate, put and agreed to.

- 8 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 1 and 2, be postponed until later this day.
- 9 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Ms Hutchins)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **ESSENTIAL SERVICES COMMISSION (COMPLIANCE AND ENFORCEMENT POWERS) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 1.00 pm under the resolution of the House today.

- 11 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

- 12 **ESSENTIAL SERVICES COMMISSION (COMPLIANCE AND ENFORCEMENT POWERS) AMENDMENT BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under the resolution of the House today.

- 13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 2.00 pm.

No 123 — Wednesday 6 October 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 5 October 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DOMESTIC ANIMALS AMENDMENT (REUNITING PETS AND OTHER MATTERS) BILL 2021** — Ms Thomas introduced ‘*A Bill for an Act to amend the **Domestic Animals Act 1994** to improve the process for reuniting pets with their owners and to make other miscellaneous and consequential amendments and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:

Planning and Environment Act 1987 — Notice of approval of an amendment to the Melbourne Planning Scheme — C418.
- 4 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Terrorism (Community Protection) Amendment Bill 2021
Water and Catchment Legislation Amendment Bill 2021.
- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Forests Legislation Amendment (Compliance and Enforcement) Bill 2019 with amendments.

Ordered — That the amendments be taken into later this day.
- 6 **FORESTS LEGISLATION AMENDMENT (COMPLIANCE AND ENFORCEMENT) BILL 2019** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Ms Allan*) — and, after debate —

Motion made and question — That the question be now put (*Mr Pearson*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 14

Juliana Addison; Josh Bull; Anthony Carbines; Darren Cheeseman; Jordan Crugnale; Paul Edbrooke; Sonya Kilkenny; Martin Pakula; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Natalie Suleyman; Kat Theophanous.

NOES 8

Emma Kealy; Cindy McLeish; Danny O’Brien; Brad Rowswell; Suzanna Sheed; Ryan Smith; Louise Staley; Bridget Vallance.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Ben Carroll; Sarah Connolly; Christine Couzens; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Tim Pallas; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES

Neil Angus; Brad Battin; Gary Blackwood; Tim Bull; David Morris; Russell Northe; Steph Ryan; Bill Tilley.

Original question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 14

Juliana Addison; Josh Bull; Anthony Carbines; Darren Cheeseman; Jordan Crugnale; Paul Edbrooke; Sonya Kilkenny; Martin Pakula; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Natalie Suleyman; Kat Theophanous.

NOES 8

Emma Kealy; Cindy McLeish; Danny O'Brien; Brad Rowswell; Suzanna Sheed; Ryan Smith; Louise Staley; Bridget Vallence.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Ben Carroll; Sarah Connolly; Christine Couzens; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Tim Pallas; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES

Neil Angus; Brad Battin; Roma Britnell; Neale Burgess; Tim Bull; David Morris; Russell Northe; Steph Ryan; Bill Tilley.

Message sent to the Legislative Council informing them accordingly.

- 7 **HEALTH LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2021** — Mr Pearson tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pearson*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — after debate, put and agreed to.

Motion made and question proposed — That the debate be adjourned for six days (*Mr Pearson*).

Amendment proposed — That the words ‘six days’ be omitted and replaced with the words ‘two weeks’ (*Mr Smith, Warrandyte*) — and, after debate —

Business was interrupted at 11.00 am under the resolution of the House on Tuesday 5 October 2021.

- 8 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT’S COVID-19 FAILURES** — The Acting Speaker read Mr Southwick’s proposal to the House —

‘That this House condemns the Andrews Labor Government’s COVID-19 failures resulting in Melbourne being the most locked down city in the world and notes:

- (1) this week will see Melbourne locked down for more than 250 days, with positive case numbers increasing to Australian record levels;
- (2) WorkSafe’s failure to file charges for hotel quarantine breaches against any other duty holder, including the Department of Jobs, Precincts and Regions, relevant ministers, public servants, private security providers or other contractors and suppliers;
- (3) small businesses and sole traders being short-changed by state government support and uncertainty from lockdown closures;
- (4) the severe mental health impact of lockdowns on Victorians, with record calls to support services during the pandemic; and
- (5) the 4,000 promised ICU beds have not been delivered.’

Mr Southwick addressed the House — Discussion followed.

Business was interrupted at 1.00 pm under the resolution of the House on Tuesday 5 October 2021.

- 9 **QUESTIONS WITHOUT NOTICE AND MINISTERS’ STATEMENTS**

- 10 **HEALTH LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2021** — Debate resumed on question — That debate be adjourned for six days — *and on the amendment* — That the words ‘six days’ be omitted and replaced with the words ‘two weeks’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 13

Juliana Addison; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Paul Edbrooke; Katie Hall; Danny Pearson; Pauline Richards; Michaela Settle; Ros Spence, Meng Heang Tak; Mary-Anne Thomas.

NOES 8

Roma Britnell; Emma Kealy; James Newbury; Danny O’Brien; Brad Rowswell; Suzanna Sheed; Ryan Smith; Louise Staley.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Ben Carroll; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Bronwyn Halfpenny; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Nick Staikos; Natalie Suleyman; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams.

NOES

Neil Angus; Brad Battin; Tim Bull; Neale Burgess; David Morris; Russell Northe; Michael O’Brien; Richard Riordan; Bridget Vallence.

Original question — put and agreed to. Debate adjourned until Tuesday 12 October 2021.

- 11 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (CHILD PROTECTION) BILL 2021** — Mr Pearson tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pearson*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for six days. Debate adjourned until Tuesday 12 October 2021.

- 12 **FORESTS AMENDMENT (FOREST FIREFIGHTERS PRESUMPTIVE RIGHTS COMPENSATION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under the resolution of the House on Tuesday 5 October 2021.

- 13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 2.00 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 124 — Thursday 7 October 2021

- 1 The House met in accordance with the terms of its resolution on Tuesday 5 October 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Gambling Regulation Act 2003 — Amendment to Public Lottery Licence under s 5.3.19

Victorian Information Commissioner, Office of (OVIC) — Report 2020–21.

- 3 **COMMITTEE RESIGNATIONS** — The Speaker announced that he had received the resignations of Mr Guy from the Privileges Committee and Mr Riordan from the Public Accounts and Estimates Committee, both effective from 6 October 2021.

- 4 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 12 October 2021 at 9.00 am, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the date of the next scheduled sitting or a rescheduled sitting should be changed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to set a new day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(Ms Allan) — put and agreed to.

- 5 **SITTING ARRANGEMENTS** — Motion made and question proposed — That so much of standing and sessional orders be suspended to allow the following temporary arrangements to come into effect on 12 October 2021 and to remain in place until revoked by the House:

Order of business

- (1) The order of business is:

Tuesday

Formal business

Government business

Questions without notice and ministers' statements — 1.00 pm

Government business *continued*

Wednesday

Formal business

Government business

Matter of public importance *or* grievance debate — 11.00 am

Government business *continued*

Questions without notice and ministers' statements — 1.00 pm

Government business *continued*

Thursday

Formal business

Government business

Questions without notice and ministers' statements — 1.00 pm

Government business *continued*.

- (2) The processes for interruptions under Sessional Orders 2 and 3(4) apply at the times set out in paragraph (1).

Time of meeting

- (3) Unless otherwise ordered, the House will meet each Tuesday, Wednesday and Thursday at 9.00 am.

Automatic interruption and no adjournment debates

- (4) The Chair will interrupt business each day at 2.00 pm and SO 32 applies accordingly. There will be no adjournment debate.

Cleaning in the Chamber

- (5) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Face masks in the Chamber

- (6) Members must wear face masks in the Chamber except when they have the call to speak or if an exception applies.

Reduced numbers of members to assist with physical distancing

- (7) Subject to paragraphs (11) and (12), the House will be composed of the Chair and no more than 24 other members, being 13 from the Government, seven from the Opposition, one Greens member and three independent members on the floor of the Chamber.
- (8) Except as provided for in paragraphs (11) and (12), if more members than those listed in paragraph (7) vote in a division, the Clerk will not count their vote.

Quorum

- (9) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (10) If, under paragraph (9) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (7) are suspended until a quorum is formed.
- (11) If, under SO 29(2), there is found not to be a quorum during a division:
- (a) the provisions under paragraph (7) are suspended;
 - (b) the bells must be rung for a further four minutes;
 - (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
 - (d) if more members than those listed in paragraph (c) vote in the division, the Clerk will not count their vote.

Divisions

- (12) For questions relating to the passage of bills on the government business program that week, the provisions of paragraph (7) are suspended and divisions will take place as follows:
- (a) the Chair will direct that the lower public galleries be cleared for the duration of the division;
 - (b) members will vote in up to four voting groups;

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- (c) for each voting group:
- (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) subject to subparagraph (e), all members except the Chair must then leave the Chamber;
 - (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (7), as required;
- (d) subject to subparagraph (e), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
- (e) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and
- (f) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (13) If a division has taken place, a member not in attendance for the division can register their opinion on the question:
- (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') by no later than one hour after the division has been completed; and
 - (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*.

Remote participation

- (14) Members may participate in debate remotely using an audio link or audio visual link as follows:
- (a) the Chair must be satisfied that the quality of the audio link or audio visual link allows the Chair to verify the identity of that member and for the member to participate;
 - (b) a member participating remotely is not counted for the purposes of a quorum and may not vote;
 - (c) members may only participate remotely to speak on:
 - (i) motions;
 - (ii) bills, including consideration in detail;
 - (iii) questions without notice — to ask questions only;
 - (iv) matters of public importance;
 - (v) grievance debates;
 - (vi) a personal explanation;
 - (d) members participating remotely may only speak when given the call, must comply with all the usual rules of debate and may not:
 - (i) refuse leave;
 - (ii) respond to questions without notice, make ministers' statements or respond to matters raised in the adjournment debate;
 - (iii) call the Chair's attention to the state of the House;
 - (iv) take, or speak on, a point of order unless it is taken by another member during their speech or relates to the answer to a question they have asked;
 - (v) move a motion (except an amendment to a motion or bill when they have the call);
 - (vi) interject;
 - (vii) chair the debate;
 - (e) members participating remotely may circulate amendments to bills under SO 64;

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- (f) in order to assist members participating remotely, the Chair will use a formal call list to allocate the call for each debate where practical and members wishing to participate remotely may seek the call by:
 - (i) informing their whip, or the whip's representative, who will inform the Chair in advance — for a Government or Opposition member;
 - (ii) informing the Clerk, who will inform the Chair in advance — for any other member;
 - (g) when a member participates remotely, the Chair may exercise all their usual powers to control the debate;
 - (h) the Chair is given any additional powers necessary to facilitate the smooth running of the House and/or to address any technical issues, including but not limited to:
 - (i) stopping the clock;
 - (ii) returning to a member's contribution;
 - (iii) reordering business; and
 - (i) the Speaker may issue guidelines about remote participation.

Other business to be published in Hansard

(15) Members may submit:

- (a) members' statements;
- (b) statements on parliamentary committee reports;
- (c) constituency questions; and
- (d) adjournment matters —

for each sitting day by emailing them to the Clerk by the adjournment of the House.

- (16) The Clerk will accept matters up to the number usually given in the House and as allocated between the parties and independents in accordance with the call lists approved by the Speaker.
- (17) The House authorises and requires these matters to be published in Hansard at the end of each day's Hansard accordingly:
 - (a) subject to the Hansard editorial policy; and

- (b) if any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published.

Incorporation of speeches

- (18) Members may incorporate their speeches for any bills on the government business program or substantive motions considered by the House that day.
- (19) Members must submit their speeches for incorporation by the following deadlines:
 - (a) for any bill on the government business program, they must email their speech to the Clerk by the time set down for consideration of that bill under the government business program; or
 - (b) for substantive motions, by the adjournment of the House each day.
- (20) Incorporated speeches for bills and motions will be published in Hansard —
 - (a) for bills, after the relevant second reading speeches made in the House (if any) and before the minister's reply (if any); and
 - (b) for substantive motions, after the relevant speeches made in the House (if any) and before the mover's reply (if any).
- (21) If any matter contains unbecoming expressions or does not comply with the rules of debate, the Speaker may direct that the matter be removed or amended before it is published

(Ms Allan) — and, after debate —

Amendment proposed — That the words 'revoked by the House' be omitted and replaced with the words '15 October 2021 or earlier if revoked by the House' *(Ms Staley)* — and, after debate —

Motion made and question — That the question be now put *(Mr Cheeseman)* — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 13

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Darren Cheeseman; Jordan Crugnale; Lily D'Ambrosio; Paul Edbrooke; Maree Edwards; Will Fowles; Natalie Hutchins; Stephen McGhie; Ros Spence; Nick Staikos.

NOES 9

Brad Battin; Roma Britnell; Sam Hibbins; Tim McCurdy; Danny O'Brien; Brad Rowswell; Suzanna Sheed; Louise Staley; Nick Wakeling.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Sarah Connolly; Christine Couzens; John Eren; Martin Foley; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Robin Scott; Michaela Settle; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES

Neil Angus; Gary Blackwood; Tim Bull; Neale Burgess; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; Russell Northe; David Southwick; Bridget Vallence; Kim Wells.

Question — That the words proposed to be omitted stand part of the question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 13

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Darren Cheeseman; Jordan Crugnale; Lily D’Ambrosio; Paul Edbrooke; Maree Edwards; Will Fowles; Natalie Hutchins; Stephen McGhie; Ros Spence; Nick Staikos.

NOES 9

Brad Battin; Roma Britnell; Sam Hibbins; Tim McCurdy; Danny O’Brien; Brad Rowswell; Suzanna Sheed; Louise Staley; Nick Wakeling.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Sarah Connolly; Christine Couzens; John Eren; Martin Foley; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Robin Scott; Michaela Settle; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams.

NOES

Neil Angus; Neale Burgess; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; Russell Northe; David Southwick; Bridget Vallence; Kim Wells.

Original question — put and agreed to.

- 6 **DOMESTIC ANIMALS AMENDMENT (REUNITING PETS AND OTHER MATTERS) BILL 2021** — Ms Thomas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Thomas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 21 October 2021.

- 7 **FORESTS AMENDMENT (FOREST FIREFIGHTERS PRESUMPTIVE RIGHTS COMPENSATION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 8 **PRIVILEGES COMMITTEE** — Motion made, by leave, and question — That Ms Staley be a member of the Privileges Committee (*Ms Hutchins*) — put and agreed to.

- 9 **FIREARMS AND OTHER ACTS AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 1.00 pm under the resolution of the House on Tuesday 5 October 2021.

10 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

- 11 **FIREARMS AND OTHER ACTS AMENDMENT BILL 2021** — Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 October 2021 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.
Question — That this Bill be now read a second time and a third time — put and agreed to.
Bill sent to the Legislative Council and their agreement requested.

- 13 **ESSENTIAL SERVICES COMMISSION (COMPLIANCE AND ENFORCEMENT POWERS) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.
Question — That this Bill be now read a second time and a third time — put and agreed to.
Bill sent to the Legislative Council and their agreement requested.

- 14 **FORESTS AMENDMENT (FOREST FIREFIGHTERS PRESUMPTIVE RIGHTS COMPENSATION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.
Question — That this Bill be now read a second time and a third time — put and agreed to.
Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 2.02 pm under the resolution of the House on Tuesday 5 October 2021.

- 15 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 2.02 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 125, 126 and 127

No 125 — Tuesday 12 October 2021

- 1 The House met in accordance with the terms of its resolution on Thursday 7 October 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **WINDFALL GAINS TAX AND STATE TAXATION AND OTHER ACTS FURTHER AMENDMENT BILL 2021** — Mr Pallas introduced ‘A Bill for an Act to impose a windfall gains tax on the increase in the value of land resulting from a rezoning and amend the *Duties Act 2000*, the *Essential Services Commission Act 2001*, the *Gambling Regulation Act 2003*, the *Land Tax Act 2005*, the *State Taxation and Mental Health Acts Amendment Act 2021*, the *Taxation Administration Act 1997*, the *Valuation of Land Act 1960*, the *Water Act 1989* and the *Water Industry Act 1994* and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **SEX WORK DECRIMINALISATION BILL 2021** — Ms Horne introduced ‘A Bill for an Act to decriminalise sex work, to repeal the *Sex Work Act 1994*, to provide for a new protected attribute in the *Equal Opportunity Act 2010*, to make consequential and related amendments to other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **VICTORIAN COLLABORATIVE CENTRE FOR MENTAL HEALTH AND WELLBEING BILL 2021** — Mr Merlino introduced ‘A Bill for an Act to establish the Victorian Collaborative Centre for Mental Health and Wellbeing, to make consequential amendments to other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **SPECIAL INVESTIGATOR BILL 2021** — Ms Hutchins introduced ‘A Bill for an Act to establish the Office of the Special Investigator to investigate potential criminal conduct and breaches of discipline relating to the recruitment, management and use by Victoria Police of Nicola Maree Gobbo as a human source, to amend certain other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Greensborough mobile phone tower — Requesting that the Legislative Assembly calls on the Government to reassess alternative site locations and compare relevant electromagnetic energy readings of the existing and replacement mobile phone towers in Greensborough, bearing 124 signatures (*Ms Ward*).

Ordered to be tabled.

7 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 13 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Children, Youth and Families Amendment (Child Protection) Bill 2021
 Health Legislation Amendment (Information Sharing) Bill 2021
 Mental Health Amendment (Counsellors) Bill 2021
 Suburban Rail Loop Bill 2021
 SR No 47 — Environment Protection Regulations 2021
 SR No 92 — Environment Protection Amendment (Wind Turbine Noise) Regulations 2021
 Order to Declare a Class of Entities as Specified Entities

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Ombudsman — Investigation into allegations of collusion with property developers at Kingston City Council — Ordered to be published

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of the State of Emergency — 19th Report

Statutory Rule 126 under the *Tobacco Act 1987*

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 126
 Documents under s 16B in relation to — *Education and Training Reform Act 2006* — Ministerial Order No 1337 — Order amending Ministerial Order No 615 — Amendment to Order Fixing of Fees Administered by the Victorian Registration and Qualifications Authority.

8 MESSAGES FROM THE LEGISLATIVE COUNCIL — Agreeing to the following bills without amendment:

Building Amendment (Registration and Other Matters) Bill 2021
 Suburban Rail Loop Bill 2021.

9 MESSAGE FROM THE LEGISLATIVE COUNCIL — Agreeing to the Assisted Reproductive Treatment Amendment Bill 2021 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

- 10 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Domestic Animals Amendment (Reuniting Pets and Other Matters) Bill 2021
Health Legislation Amendment (Information Sharing) Bill 2021.

- 11 **ENVIRONMENT AND PLANNING STANDING COMMITTEE** — The Speaker announced that he had received the resignation of Ms Vallence from the Environment and Planning Standing Committee, effective from 11 October 2021.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 2.00 pm on Thursday 14 October 2021:

Children, Youth and Families Amendment (Child Protection) Bill 2021
Education and Training Reform Amendment (Senior Secondary Pathways Reforms and Other Matters) Bill 2021
Health Legislation Amendment (Information Sharing) Bill 2021
Terrorism (Community Protection) Amendment Bill 2021

(Ms Allan) — after debate, put and agreed to.

- 13 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2021** — Order read for the consideration of the amendment made by the Legislative Council.

The amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 14 **EDUCATION AND TRAINING REFORM AMENDMENT (SENIOR SECONDARY PATHWAYS REFORMS AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 1.00 pm under the resolution of the House on Thursday 7 October 2021.

- 15 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

- 16 **EDUCATION AND TRAINING REFORM AMENDMENT (SENIOR SECONDARY PATHWAYS REFORMS AND OTHER MATTERS) BILL 2021** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned *(Ms Allan)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

17 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

18 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (CHILD PROTECTION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under the resolution of the House on Thursday 7 October 2021.

19 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 2.00 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 126 — Wednesday 13 October 2021

1 The House met in accordance with the terms of its resolution on Thursday 7 October 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Administration of Victorian Courts — Ordered to be published

Protecting Victoria's Biodiversity — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the Victoria Planning Provisions — VC202, VC212.

3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Essential Services Commission (Compliance and Enforcement Powers) Amendment Bill 2021 without amendment.

4 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 12 October 2021, given the royal assent to the Forests Legislation Amendment (Compliance and Enforcement) Bill 2019, presented to her by the Clerk of the Parliaments.

5 **SEX WORK DECRIMINALISATION BILL 2021** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 27 October 2021.

6 VICTORIAN COLLABORATIVE CENTRE FOR MENTAL HEALTH AND WELLBEING BILL 2021 — Mr Merlino tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Motion made and question — That the debate be adjourned for 13 days (*Mr Merlino*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 13

Juliana Addison; Josh Bull; Darren Cheeseman; Jordan Crugnale; Paul Edbrooke; Natalie Hutchins; Sonya Kilkenny; Tim Pallas; Danny Pearson; Ros Spence; Nick Staikos; Kat Theophanous; Mary-Anne Thomas.

NOES 7

Neil Angus; Roma Britnell; Emma Kealy; David Morris; Danny O'Brien; Brad Rowswell; Louise Staley.

Question agreed to. Debate adjourned until Tuesday 26 October 2021.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Anthony Carbines; Ben Carroll; Sarah Connolly; Christine Couzens; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; John Kennedy; Gary Maas; Stephen McGhie; Frank McGuire; Lisa Neville; Martin Pakula; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Vicki Ward; Gabrielle Williams.

NOES

Brad Battin; Gary Blackwood; David Hodgett; Tim McCurdy; Cindy McLeish; Russell Northe; Michael O'Brien; Richard Riordan; Bill Tilley; Bridget Vallenge; Kim Wells.

- 7 **SPECIAL INVESTIGATOR BILL 2021** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 27 October 2021.

- 8 **WINDFALL GAINS TAX AND STATE TAXATION AND OTHER ACTS FURTHER AMENDMENT BILL 2021** — Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Mr Pallas made the statement of intention required by s 85(5)(c) of the *Constitution Act 1975*.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 27 October 2021.

- 9 **HEALTH LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 11.00 am under the resolution of the House on Thursday 7 October 2021.

- 10 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

Business was interrupted at 1.00 pm under the resolution of the House on Thursday 7 October 2021.

- 11 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

- 12 **HEALTH LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under the resolution of the House on Thursday 7 October 2021.

- 13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 2.00 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 127 — Thursday 14 October 2021

- 1 The House met in accordance with the terms of its resolution on Thursday 7 October 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS**

INSPECTOR-GENERAL FOR EMERGENCY MANAGEMENT — Inquiry into the 2019–20 Victorian fire season — Phase 2 — Progress and effectiveness of Victoria’s immediate relief and recovery arrangements tabled by leave (*Ms Hutchins*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

National Parks Act 1975 — Report 2020–21 on the working of the Act

National Parks Advisory Council — Report 2020–21

Public Record Office Victoria — Report 2020–21

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 123.

- 3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Great Ocean Road and Environs Protection Amendment Bill 2021 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

- 4 **COMMITTEE RESIGNATIONS** — The Speaker announced that he had received the resignation of Mr Southwick from the Legal and Social Issues Standing Committee and Mr Gepp from the Scrutiny of Acts and Regulations Committee, both effective from 13 October 2021.

5 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:

- (1) Ms McLeish be a member of the Environment and Planning Standing Committee;
- (2) Mr Angus be a member of the Legal and Social Issues Standing Committee; and
- (3) Ms Theophanous be a member of the Scrutiny of Acts and Regulations Committee

(Ms Allan) — put and agreed to.

6 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 26 October 2021, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the date of the next scheduled sitting or a rescheduled sitting should be changed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to set a new day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(Ms Allan) — after debate, put and agreed to.

7 **COVID-19 VACCINATION REQUIREMENTS** — Motion made and question — That:

- (1) In order to protect the health and safety of members and parliamentary staff and reduce the risk of transmission of COVID-19, this House requires members of the Legislative Assembly attending the Chamber or the parliamentary precinct to have received:
 - (a) their first COVID-19 vaccine dose by 15 October 2021, or have an appointment to receive their first dose between 15 October and 22 October 2021 and subsequently receive that dose by 22 October 2021; and
 - (b) their second COVID-19 vaccine dose by 26 November 2021.
- (2) In order to protect the health and safety of electorate officers and community members, this House requires members of the Legislative Assembly attending their electorate offices to have received COVID-19 vaccinations as set out in paragraph (1).
- (3) Members must provide proof of vaccination, proof of a vaccination booking or proof of a valid exception to the Clerk by the dates set out in paragraph (1).
- (4) If any members do not meet the requirements set out in paragraph (3), the Clerk will:
 - (a) as soon as practicable, notify each member of the House which members have not met the requirements; and

-
- (b) report the details to the House on the next sitting day.
- (5) Unless otherwise ordered, any member who has not complied with the requirements set out in paragraph (3) is determined to have failed to comply with an order of the House and therefore:
- (a) is suspended from attending the Chamber and the parliamentary precinct until the second sitting day of the 2022 parliamentary year; and
- (b) will have their parliamentary precinct security access pass revoked for the period of the suspension at the direction of the Clerk.
- (6) If a Member who is suspended under paragraph (5) provides proof of a first dose of vaccination between 15 October and 26 November 2021 or a second dose after 26 November 2021, or proof of a valid exception to the Clerk, their suspension is immediately lifted and the Clerk will advise members and the House accordingly.
- (7) For the purposes of this resolution:
- (a) **COVID-19 vaccine** means a vaccine to protect a person against SARSCoV-2 that, as at the date of this resolution, has been registered or provisionally registered by the Therapeutic Goods Administration or has been approved by a comparable overseas regulator, as determined by the Therapeutic Goods Administration under regulation 16DA(3) of the Therapeutic Goods Regulations 1990 of the Commonwealth;
- (b) **proof of vaccination** means information about a person's vaccination status and includes a letter from a medical practitioner, a certificate of immunisation or an immunisation history statement obtained from the Australian Immunisation Register; and
- (c) **proof of a valid exception** means written certification from a medical practitioner that the person is unable, due to a medical contraindication to receive a dose, or a further dose, of a COVID-19 vaccine.
- (8) The Clerk:
- (a) must ensure all information provided under this resolution remains confidential and is stored securely;
- (b) must not disclose any information except as authorised by this resolution; and
- (c) must destroy all information provided under this resolution at the end of the session or an earlier time determined by the House.
- (9) The House may agree to further resolutions to:
- (a) vary or amend this resolution; or

- (b) provide for arrangements for sittings in 2022 based on the epidemiology and progress in the roadmap to implementing the national plan at the time

(Ms Allan) — after debate, put.

A division having been called, the Speaker advised that there was only one vote for the 'noes' and accordingly, declared that the question was agreed to. Mr Angus asked that his dissent be recorded.

- 8 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION AMENDMENT BILL 2021** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 9 **TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (CHILD PROTECTION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 1.00 pm under the resolution of the House on Thursday 7 October 2021.

- 11 **QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS**

- 12 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (CHILD PROTECTION) BILL 2021** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Fregon*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **EDUCATION AND TRAINING REFORM AMENDMENT (SENIOR SECONDARY PATHWAYS REFORMS AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 12 October 2021 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **HEALTH LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (CHILD PROTECTION) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 2.02 pm under the resolution of the House on Thursday 7 October 2021.

- 17 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and left the Chair at 2.02 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 128, 129 and 130

No 128 — Tuesday 26 October 2021

- 1 The House met in accordance with the terms of its resolutions on Thursday 7 October 2021 and Thursday 14 October 2021 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That the resolution of the House agreed to on Thursday 7 October 2021 setting temporary arrangements be revoked and that so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 29 October 2021:

Order of business

- (1) The order of business is:

Tuesday

Formal business
Statements by members
Government business
Question time — 2.00 pm
Government business *continued*

Wednesday

Formal business
Statements by members
Statements on parliamentary committee reports
Government business
Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm
Question time — 2.00 pm
Government business *continued*
Matter of public importance *or* grievance debate — 4.00 pm
Government business *continued*

Thursday

Formal business
Statements by members
Government business
Lunch break and cleaning in the Chamber — 1.00 pm to 2.00 pm
Question time — 2.00 pm
Government business *continued*.

- (2) On Tuesday 26 October 2021, the Chair will interrupt business under Sessional Order 2(1)(a) at 4.00 pm.
- (3) The processes for interruptions under Sessional Orders 2 and 3(4) apply at the times set out in paragraphs (1) and (2).

Cleaning in the Chamber

- (4) The Speaker may order additional breaks to facilitate cleaning in the Chamber.

Face masks in the Chamber

- (5) Members must wear face masks in the Chamber except when they have the call to speak or if an exception applies.

Lower public galleries deemed part of Chamber and reduced numbers of members to assist with physical distancing

- (6) The lower public galleries are included as part of the Legislative Assembly Chamber at all times other than when a division or vote is taking place under paragraphs (12) or (14).
- (7) Subject to paragraphs (11), (12) and (14), the House will be composed of the Chair and no more than 29 other members, being:
 - (a) 13 from the Government, seven from the Opposition, one Greens member and three independent members on the floor of the Chamber; and
 - (b) three from the Government and two from the Opposition in the lower public galleries.
- (8) Except as provided for in paragraphs (11), (12) and (14), if more members than those listed in paragraph (7) vote in a division, the Clerk will not count their vote.

Quorum

- (9) The House gives the Chair further discretion in ringing the bells to form a quorum under SO 29, provided the Chair is confident that a quorum is present within the parliamentary precinct.
- (10) If, under paragraph (9) and SO 29(1), the bells are rung to form a quorum, the provisions under paragraph (7) are suspended until a quorum is formed.
- (11) If, under SO 29(2), there is found not to be a quorum during a division:
 - (a) the provisions under paragraph (7) are suspended;
 - (b) the bells must be rung for a further four minutes;

- (c) the Chamber will be composed of the Chair and no more than 40 other members, being 23 from the Government, 13 from the Opposition, one Greens member and three independent members for the remainder of the sitting day; and
- (d) if more members than those listed in subparagraph (c) vote in the division, the Clerk will not count their vote.

Divisions

(12) For questions relating to the passage of bills on the government business program, the provisions of paragraph (7) are suspended and divisions will take place as follows:

- (a) the Chair will direct that the lower public galleries be cleared for the duration of the division;
- (b) members will vote in up to four voting groups;
- (c) for each voting group:
 - (i) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;
 - (ii) the Chair will direct that the doors be locked and state the question being voted on;
 - (iii) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
 - (iv) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' and 'noes' in that group;
 - (v) subject to subparagraph (e), all members except the Chair must then leave the Chamber;
 - (vi) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (7), as required;
- (d) subject to subparagraph (e), members will only be permitted to enter the Chamber once for each division and any member present in the Chamber must vote;
- (e) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the division, but can only stand to vote in one group; and

- (f) at the conclusion of the four voting groups, the Chair will announce the result of the division.

Register of opinion on division questions

- (13) If a division has taken place, a member who is not in attendance for the division and not currently suspended by the House can register their opinion on the question:
 - (a) any members wishing to do so must notify the Clerk in writing of their opinion (either 'aye' or 'no') by no later than one hour after the division has been completed; and
 - (b) any such opinion will be published, separately from the results of the vote, in Hansard and the *Votes and Proceedings*.

Bills requiring an absolute or special majority on third reading

- (14) Where the Chair advises the House that the third reading of a bill requires an absolute or special majority (or both) under the *Constitution Act 1975*, the provisions of paragraph (7) are suspended and the following procedure will apply:
 - (a) the Chair will direct that the lower public galleries be cleared for the duration of the division;
 - (b) the Chair will announce that an absolute or special majority (or both) is required on the third reading and put the third reading question;
 - (c) if there are voices for the 'noes' and a division is called:
 - (i) the division will be conducted according to the provisions of paragraph (12);
 - (ii) after announcing the result of the division according to subparagraph (12)(f), the Chair will declare whether the third reading passed by an absolute and/or special majority of the whole number of the members of the Legislative Assembly;
 - (d) if there are no voices for the 'noes', the Chair will establish whether an absolute and/or special majority has been achieved as follows:
 - (i) members will vote in up to four voting groups;
 - (ii) for each voting group:
 - (A) no more than 24 members, in addition to the Chair, the Leader of the House and Manager of Opposition Business (or their representatives), will be permitted into the Chamber;

- (B) the Chair will direct that the doors be locked and state the question being voted on;
 - (C) the Chair will ask members voting 'aye' to stand in their place;
 - (D) the Clerk will count the votes and the Chair will announce the number of votes cast for the 'ayes' in that group;
 - (E) subject to subparagraph (iv), all members except the Chair must then leave the Chamber;
 - (F) the Chair will then ask the Clerk to ring the bells for one minute to call members to the Chamber for the next voting group, or to resume the make up of the Chamber as set out in paragraph (7), as required;
- (iii) subject to subparagraph (iv), members will only be permitted to enter the Chamber once for each question on the third reading requiring an absolute and/or special majority;
 - (iv) the Leader of the House and Manager of Opposition Business, or their representatives, may remain in the Chamber for the entirety of the vote, but can only stand to vote in one group; and
 - (v) at the conclusion of the four voting groups, the Chair will announce the number of members who voted 'aye' and declare whether the third reading passed by an absolute and/or special majority of the whole number of the members of the Legislative Assembly

(Ms Allan) — after debate, put and agreed to.

- 3 **PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021** — Mr Foley introduced 'A Bill for an Act to amend the **Public Health and Wellbeing Act 2008** in relation to the effective management of pandemics and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **CASINO AND GAMBLING LEGISLATION AMENDMENT BILL 2021** — Ms Horne introduced 'A Bill for an Act to amend Victorian casino and gambling legislation to implement recommendations of the Royal Commission into the Casino Operator and Licence, strengthen the oversight and regulation of casino operators and establish the Victorian Gambling and Casino Control Commission and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL PROCEDURE DISCLOSURE AND OTHER MATTERS) BILL 2021** — Ms Allan on behalf of Ms Hutchins introduced 'A Bill for an Act to amend the **Criminal Procedure Act 2009** in relation to disclosure obligations and applications for orders relating to non-disclosure, to amend the **Magistrates' Court Act 1989**, the **Supreme Court Act 1986**, the **Constitution Act 1975** and other Acts in relation to dual commission holders, to amend the **Criminal Procedure Act 2009** and the **Victims' Charter Act 2006** in

relation to sentence indications, to amend the **Personal Safety Intervention Orders Act 2010** in relation to applications for personal safety intervention orders, to amend the **Children, Youth and Families Act 2005** in relation to the Family Division of the Children's Court and to amend the **Criminal Procedure Act 2009** and the **Family Violence Protection Act 2008** in relation to giving evidence remotely in certain proceedings and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

6 **MEMBER SUSPENDED** — The Clerk announced that the Member for Forest Hill had not complied with the resolution of the House on Thursday 14 October 2021 relating to COVID-19 vaccination requirements and, in accordance with that resolution, has been suspended from the Chamber and the precinct.

7 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Noise mitigation for Kananook Train Stabling Facility — Requesting that the Legislative Assembly calls on the Government to provide mitigation for the noise generated by the operational procedures at the Kananook Train Stabling Facility in Seaford, bearing 42 signatures (*Mr Burgess*).

Re-classify the Mornington Peninsula as regional — Requesting that the Legislative Assembly reclassifies the Mornington Peninsula as outside the metropolitan area and ends the lockdown, bearing 48 signatures (*Mr Morris*).

Hospice for Latrobe Valley and Gippsland region — Requesting that the Legislative Assembly calls on the Government to convert the former Churchill Hazelwood House aged care facility into a dedicated hospice facility, or to find another suitable location, ensuring the residents of the Latrobe Valley and Gippsland region have a dedicated hospice as recommended by the Latrobe Health Advocate, bearing 338 signatures (*Mr Northe*).

Advertising of zero emission targets — Requesting that the Legislative Assembly of Victoria debate the advertising of zero emission targets by big companies and seek to challenge the growing amounts of virtue signalling misinformation by advertisers in Australia, bearing two signatures (*Mr Riordan*).

Petitions ordered to be tabled.

8 **PETITION — NOISE MITIGATION FOR KANANOOK TRAIN STABLING FACILITY** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

9 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Theophanous, Chair, tabled the Alert Digest No 14 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Domestic Animals Amendment (Reuniting Pets and Other Matters) Bill 2021
Local Government Amendment (Rates and Charges) Bill 2021

Planning and Environment Amendment Bill 2021
Sex Work Decriminalisation Bill 2021
Special Investigator Bill 2021
Terrorism (Community Protection) Amendment Bill 2021
Victorian Collaborative Centre for Mental Health and Wellbeing Bill 2021
Water and Catchment Legislation Amendment Bill 2021
Windfall Gains Tax and State Taxation and Other Acts Further Amendment Bill 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Financial Management Act 1994 — Financial Report for the State of Victoria 2020–21, incorporating Quarterly Financial Report No 4 — Ordered to be published

Independent Broad-based Anti-corruption Commission — Operation Turon: An investigation into alleged misconduct by a former Victoria Police Assistant Commissioner — Ordered to be published

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 92 (*Gazette G41, 14 October 2021*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C363
Campaspe — GC151
Cardinia — C264
Casey — GC182
Central Goldfields — C31
Frankston — GC182
Greater Bendigo — C235
Greater Shepparton — C231, GC151
Hume — C247
Moonee Valley — C211
Queenscliffe — C33
Surf Coast — C124, C127
Swan Hill — C73
Wangaratta — C76
Whittlesea — C255
Wyndham — C236
Yarra — C272, C288, C296

Royal Commission into the Casino Operator and Licence — Report (three volumes) — Ordered to be published

Statutory Rules under the following Acts:

Building Act 1993 — SR 128

Drugs, Poisons and Controlled Substances Act 1981 — SR 127

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 127, 128

Documents under s 16B in relation to the *Drugs, Poisons and Controlled Substances Act 1981*:

Secretary Approval: Nurse Immunisers — SARS-CoV-2 (COVID-19) Vaccine

Secretary Approval: Pharmacist Immuniser — SARS-CoV-2 (COVID-19) Vaccine

Victorian Government Purchasing Board — Report 2020–21

Victorian Multicultural Commission — Report 2020–21

Victorian Racing Integrity Board — Report 2020–21.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Change or Suppression (Conversion) Practices Prohibition Act 2021 — Part 5 and ss 1 and 2 — 26 October 2021 (*Gazette S580, 19 October 2021*)

Energy Legislation Amendment (Energy Fairness) Act 2021 — Part 1, Division 4 of Part 2 and Division 4 of Part 3 — 25 October 2021 (*Gazette S579, 19 October 2021*)

Transport Legislation Miscellaneous Amendments Act 2021 — Part 7, Division 2 of Part 8 and ss 101 and 102 — 3 November 2021 (*Gazette S578, 19 October 2021*).

DOCUMENT TABLED UNDER A RESOLUTION OF THE HOUSE — The Clerk tabled the following document:

Parliamentary Integrity Adviser — Report 2020–21.

10 **GOVERNMENT RESPONSE TO THE ROYAL COMMISSION INTO THE CASINO OPERATOR AND LICENCE REPORT** — Tabled by leave (*Ms Horne*) — Ordered to be published.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Firearms and Other Acts Amendment Bill 2021 without amendment.

12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 19 October 2021, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Assisted Reproductive Treatment Amendment Bill 2021

Building Amendment (Registration and Other Matters) Bill 2021

Essential Services Commission (Compliance and Enforcement Powers) Amendment Bill 2021

Great Ocean Road and Environs Protection Amendment Bill 2021

Suburban Rail Loop Bill 2021.

- 13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021
 Sex Work Decriminalisation Bill 2021
 Special Investigator Bill 2021
 Victorian Collaborative Centre for Mental Health and Wellbeing Bill 2021
 Windfall Gains Tax and State Taxation and Other Acts Further Amendment Bill 2021.

- 14 **MESSAGE FROM THE GOVERNOR — SENATE VACANCY** — Transmitting a despatch from the Governor-General notifying that there is a vacancy in the representation of the State of Victoria in the Senate of the Commonwealth of Australia caused by the resignation of Senator the Honourable Scott Ryan on 12 October 2021.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 28 October 2021:

Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021
 Sex Work Decriminalisation Bill 2021
 Special Investigator Bill 2021
 Victorian Collaborative Centre for Mental Health and Wellbeing Bill 2021
 Windfall Gains Tax and State Taxation and Other Acts Further Amendment Bill 2021

(Ms Allan) — and, after debate —

Amendment proposed — That the words ‘Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021’ be omitted *(Ms Staley)* — after debate —

Question — That the amendment be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 10

Brad Battin; Roma Britnell; Danny O’Brien; Brad Rowswell; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Nick Wakeling; Peter Walsh.

NOES 16

Jacinta Allan; Lizzie Blandthorn; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Steve Dimopoulos; Paul Edbrooke; Will Fowles; Matt Fregon; John Kennedy; Sonya Kilkenny; Robin Scott; Michaela Settle; Meng Heang Tak; Jackson Taylor.

Question defeated.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Gary Blackwood; Tim Bull; Neale Burgess; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Michael O'Brien; Richard Riordan; Bill Tilley; Bridget Vallence; Kim Wells.

NOES

Juliana Addison; Daniel Andrews; Chris Brayne; Ben Carroll; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Luke Donnellan; Maree Edwards; Martin Foley; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Ros Spence; Nick Staikos; Natalie Suleyman; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question — That the motion be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 16

Jacinta Allan; Lizzie Blandthorn; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Steve Dimopoulos; Paul Edbrooke; Will Fowles; Matt Fregon; John Kennedy; Sonya Kilkenny; Robin Scott; Michaela Settle; Meng Heang Tak; Jackson Taylor.

NOES 10

Brad Battin; Roma Britnell; Danny O'Brien; Brad Rowswell; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Nick Wakeling; Peter Walsh.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Daniel Andrews; Chris Brayne; Ben Carroll; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Danny Pearson; Pauline Richards; Tim Richardson; Ros Spence; Nick Staikos; Natalie Suleyman; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES

Gary Blackwood; Tim Bull; Neale Burgess; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Bill Tilley; Bridget Vallence; Kim Wells.

- 17 **VICTORIAN COLLABORATIVE CENTRE FOR MENTAL HEALTH AND WELLBEING BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under the resolution of the House today.

- 18 **QUESTION TIME** — (Under Sessional Order 9).

- 19 **VICTORIAN COLLABORATIVE CENTRE FOR MENTAL HEALTH AND WELLBEING BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 4.00 pm under the resolution of the House today.

- 20 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 4.32 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 129 — Wednesday 27 October 2021

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **CIRCULAR ECONOMY (WASTE REDUCTION AND RECYCLING) BILL 2021** — Ms D’Ambrosio introduced ‘*A Bill for an Act to introduce a circular economy in Victoria, to provide for the Head, Recycling Victoria, to provide for a regulatory framework for waste, recycling or resource recovery services, to make related and consequential amendments to other Acts and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **EQUAL OPPORTUNITY (RELIGIOUS EXCEPTIONS) AMENDMENT BILL 2021** — Ms Hutchins introduced ‘*A Bill for an Act to amend the **Equal Opportunity Act 2010** in relation to exceptions in respect of religion, and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Victoria’s breast screen service — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services, bearing 11 signatures (*Mr Hodgett*).

Ordered to be tabled.

5 DOCUMENTS

PARLIAMENTARY DEPARTMENTS — Reports 2020–21 of the Department of the Legislative Assembly and Department of Parliamentary Services tabled by leave (*Ms Edwards*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Audit Act 1994 — Financial Audit of the Victorian Auditor-General's Office year ended 30 June 2021

Auditor-General — Management of Spending in Response to COVID-19 — Ordered to be published

Planning and Environment Act 1987 — Notice of approval of an amendment to the Victoria Planning Provisions — VC173.

6 MESSAGES FROM THE LEGISLATIVE COUNCIL — Agreeing to the following bills without amendment:

Education and Training Reform Amendment (Senior Secondary Pathways Reforms and Other Matters) Bill 2021

Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021

Water and Catchment Legislation Amendment Bill 2021.

7 MESSAGE FROM THE GOVERNOR — ASSENT TO BILL — Informing the Legislative Assembly that she had, on 26 October 2021, given the royal assent to the Firearms and Other Acts Amendment Bill 2021, presented to her by the Clerk of the Parliaments.

8 STATEMENTS BY MEMBERS — Members made statements.

9 STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS — Members made statements on committee reports.

10 CASINO AND GAMBLING LEGISLATION AMENDMENT BILL 2021 — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Ms Horne made the statement of intention required by s 85(5)(c) of the *Constitution Act 1975*.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 10 November 2021.

- 11 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL PROCEDURE DISCLOSURE AND OTHER MATTERS) BILL 2021** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Ms Hutchins made the statement of intention required by s 85(5)(c) of the *Constitution Act 1975*.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 10 November 2021.

- 12 **PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Motion made and question — That the debate be adjourned until later this day (*Mr Foley*) — and, after debate —

Amendment proposed — That all the words after ‘until’ be omitted and replaced with the words ‘after the Scrutiny of Acts and Regulations Committee has reported on this Bill’ (*Ms Staley*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 16

Juliana Addison; Jacinta Allan; Anthony Carbines; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Paul Edbrooke; Matt Fregon; Danielle Green; Dustin Halse; Melissa Horne; Stephen McGhie; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Vicki Ward.

NOES 10

Ali Cupper; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Brad Rowswell; Ryan Smith; Tim Smith; Louise Staley.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Sarah Connolly; Lily D'Ambrosio; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Will Fowles; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES

Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; David Hodgett; Emma Kealy; Russell Northe; Michael O'Brien; Richard Riordan; Steph Ryan; Bridget Vallence; Peter Walsh; Kim Wells.

Question — That the debate be adjourned until later this day — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 16

Juliana Addison; Jacinta Allan; Anthony Carbines; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Paul Edbrooke; Matt Fregon; Danielle Green; Dustin Halse; Melissa Horne; Stephen McGhie; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Vicki Ward.

NOES 10

Ali Cupper; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Brad Rowswell; Ryan Smith; Tim Smith; Louise Staley.

Question agreed to. Debate adjourned until later this day.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Sarah Connolly; Lily D'Ambrosio; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Will Fowles; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Frank McGuire; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES

Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; David Hodgett; Emma Kealy; Russell Northe; Michael O'Brien; Richard Riordan; Steph Ryan; Bridget Vallence; Peter Walsh; Kim Wells.

- 13 **SPECIAL INVESTIGATOR BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **SEX WORK DECRIMINALISATION BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until:

- (1) a redacted and de-identified copy of Ms Fiona Patten's Government-commissioned review is released to members, to enable them to scrutinise the recommendations that have led to the proposed legislation;
- (2) consultation occurs between the Department of Justice and Community Safety and Victoria Police to facilitate an objective definition of "near" in relation to exclusion zones to remove any ambiguity and cause for community dissatisfaction when authorities are policing the law;
- (3) the Minister confirms what support programs and mechanisms will be put in place to support workers from a health and safety perspective; and
- (4) consultation occurs between the Department of Justice and Community Safety and stakeholders (both individual and representative groups) on the proposal to remove the protection for landlords that currently allows them to refuse accommodation to sex workers if that worker wishes to conduct sex work within that accommodation'

(*Ms Britnell*) — and, after debate —

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 26 October 2021.

- 15 **QUESTION TIME** — (Under Sessional Order 9).

- 16 **SEX WORK DECRIMINALISATION BILL 2021** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Business was interrupted at 4.00 pm under the resolution of the House on Tuesday 26 October 2021.

- 17 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — PROTECTIONS IN THE *CHANGE OR SUPPRESSION (CONVERSION) PRACTICES PROHIBITION ACT 2021*** — The Speaker read Mr Dimopoulos' proposal to the House —

'That this House notes that the important protections in the *Change or Suppression (Conversion) Practices Prohibition Act 2021* should not be revoked, removed or amended.'

Mr Dimopoulos addressed the House — Discussion followed.

- 18 **SEX WORK DECRIMINALISATION BILL 2021** — Resumption on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.34 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 130 — Thursday 28 October 2021

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 DOCUMENTS

CONSUMER POLICY RESEARCH CENTRE — Report 2020–21 tabled by leave (*Ms Horne*).

VICTORIAN LAW FOUNDATION — Report 2020–21 tabled by leave (*Ms Hutchins*).

VISIT VICTORIA — Report 2020–21 tabled by leave (*Mr Pakula*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Accident Compensation Conciliation Service — Report 2020–21

Adult, Community and Further Education Board — Report 2020–21

Adult Parole Board — Report 2020–21

Advancing the Treaty Process with Aboriginal Victorians Act 2018 — Advancing the Victorian Treaty Process — Report 2020–21

Agriculture Victoria Services Pty Ltd — Report 2020–21

Alfred Health — Report 2020–21

Ambulance Victoria — Report 2020–21

AMES Australia — Report 2020–21

Austin Health — Report 2020–21

Australian Centre for the Moving Image (ACMI) — Report 2020–21

Australian Criminal Intelligence Commission — Report 2020–21 under s 30L of the *Surveillance Devices Act 1999*

Australian Grand Prix Corporation — Report 2020–21

Bairnsdale Regional Health Service — Report 2020–21

Ballarat General Cemeteries Trust — Report 2020–21

Barwon Region Water Corporation — Report 2020–21

Beaufort and Skipton Health Service — Report 2020–21

Bendigo Health — Report 2020–21

Calvary Health Care Bethlehem Ltd — Report 2020–21

Cenitex — Report 2020–21

Central Gippsland Region Water Corporation — Report 2020–21

Central Highlands Region Water Corporation — Report 2020–21

City West Water Corporation — Report 2020–21

Climate Change Act 2017 — Victorian Greenhouse Gas Emissions Report 2019

Coliban Region Water Corporation — Report 2020–21

Commercial Passenger Vehicles Commission — Report 2020–21

Commission for Children and Young People — Report 2020–21 — Ordered to be published

Confiscation Act 1997 — Asset Confiscation Operations Report 2020–21

Consumer Affairs Victoria — Report 2020–21 — Ordered to be published

Corangamite Catchment Management Authority — Report 2020–21

Coroners Court of Victoria — Report 2020–21

Coronial Council of Victoria — Report 2020–21

Dairy Food Safety Victoria — Report 2020–21

Dental Health Services Victoria — Report 2020–21

Development Victoria — Report 2020–21

Disability Services Commissioner — Report 2020–21

Docklands Studios Melbourne Pty Ltd — Report 2020–21

Duties Act 2000 — Report 2020–21 of concessions and exemptions under s 250B

East Gippsland Catchment Management Authority — Report 2020–21

East Gippsland Region Water Corporation — Report 2020–21

Eastern Health — Report 2020–21

Echuca Regional Health — Report 2020–21

Edenhope and District Memorial Hospital — Report 2020–21

Education and Training, Department of — Report 2020–21

Electoral Boundaries Commission — Report on the Redivision of Victorian Electoral Boundaries 2020–21

Emergency Services Superannuation Board — Report 2020–21

Emergency Services Telecommunications Authority (ESTA) — Report 2020–21

Energy Safe Victoria — Report 2020–21

Environment, Land, Water and Planning, Department of:

Report 2019–20 under s 30L of the *Surveillance Devices Act 1999*

Report 2020–21

Families, Fairness and Housing, Department of — Report 2020–21

Fed Square Pty Ltd — Report 2020–21

Film Victoria — Report 2020–21

Financial Management Act 1994:

Reports from the Minister for Agriculture that she had received the Reports 2020–21 of the:
Murray Valley Wine Grape Industry Development Committee

Phytogene Pty Ltd

Veterinary Practitioners Registration Board of Victoria

Victorian Strawberry Industry Development Committee

Report from the Assistant Treasurer that he had not received the Report 2020–21 of the
Essential Services Commission, together with an explanation for the delay

Report from the Minister for Consumer Affairs, Gaming and Liquor Regulation that she had
not received the Reports 2020–21 of the:

Victorian Commission for Gambling and Liquor Regulation

Victorian Responsible Gambling Foundation —

together with an explanation for the delay

Report from the Minister for Energy, Environment and Climate Change that she had not
received the Reports 2020–21 of the:

Alpine Resorts Coordinating Council

Barwon South West Waste and Resource Recovery Group

Caulfield Racecourse Reserve Trust

Commissioner for Environmental Sustainability

Dhelkunya Dja Land Management Board

Environment Protection Authority

Gippsland Waste and Resource Recovery Group

Goulburn Valley Waste and Resource Recovery Group

Grampians Central West Waste and Resource Recovery Group

Great Ocean Road Coast and Parks Authority

Gunaikurnai Traditional Owner Land Management Board

Loddon Mallee Waste and Resource Recovery Group

Metropolitan Waste and Resource Recovery Group

North East Waste and Resource Recovery Group

Royal Botanic Gardens Board

Sustainability Victoria

Trust for Nature

Yorta Yorta Traditional Owner Land Management Board —
together with an explanation for the delay

Report from the Minister for Fishing and Boating that she had not received the Report 2020–21 of the Recreational Fishing Licence Trust Account, together with an explanation for the delay

Report from the Minister for Health that he had not received the Reports 2020–21 of the:

Albury Wodonga Health
Alexandra District Hospital
Alpine Health
Ballarat Health Services
Barwon Health
Bass Coast Health
Beechworth Health Service
Benalla Health
Boort District Health
Casterton Memorial Hospital
Castlemaine Health
Central Gippsland Health Service
Central Highlands Rural Health
Cohuna District Hospital
Colac Area Health
Corryong Health
Djerriwarrh Health Services
East Grampians Health Service
East Wimmera Health Service
Goulburn Valley Health
Great Ocean Road Health
Heathcote Health Service
Hesse Rural Health Service
Heywood Rural Health
Inglewood and Districts Health Service
Kerang District Health
Kilmore District Health
Kyabram and District Health Services
Maldon Hospital
Mansfield District Hospital
Mildura Base Hospital
Mildura Cemetery Trust
Moyne Health Services
NCN Health
Northeast Health Wangaratta
Omeo District Health
Orbost Regional Health
Peninsula Health
Portland District Health
Radiation Advisory Committee
Rural Northwest Health
Seymour Health
South Gippsland Hospital
South West Healthcare

Stawell Regional Health
Swan Hill District Health
Tallangatta Health Service
Terang and Mortlake Health Service
Timboon and District Healthcare Service
Tweddle Child and Family Health Service
Victorian Assisted Reproductive Treatment Authority
Victorian Pharmacy Authority
West Gippsland Healthcare Group
West Wimmera Health Service
Western District Health Service
Wimmera Health Care Group
Yarram and District Health Service
Yarrawonga Health
Yea and District Memorial Hospital —
together with an explanation for the delay
Report from the Minister for Multicultural Affairs that she had not received the Report 2020–21 of the Victorian Interpreting and Translating Service (VITS Language Loop), together with an explanation for the delay
Report from the Minister for Planning that he had received the Report 2020–21 of the Architects Registration Board of Victoria
Report from the Minister for Planning that he had not received the Reports 2020–21 of the:
Cladding Safety Victoria
Heritage Council of Victoria
Surveyors Registration Board of Victoria
Victorian Building Authority
Victorian Planning Authority —
together with an explanation for the delay
Report from the Treasurer that he had not received the Report 2020–21 of the Victorian Plantations Corporation, together with an explanation for the delay
Report from the Minister for Women that she had received the Report 2020–21 of the Queen Victoria Women’s Centre Trust

First Peoples’ Assembly of Victoria — Report 2020–21

Forensic Leave Panel — Report 2020

Game Management Authority:

Report 2020–21
Report 2020–21 under s 30L of the *Surveillance Devices Act 1999*

Geelong Cemeteries Trust — Report 2020–21

Geelong Performing Arts Centre Trust — Report 2020–21

Geoffrey Gardiner Dairy Foundation Ltd — Report 2020–21

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- Gippsland and Southern Rural Water Corporation — Report 2020–21
- Gippsland Southern Health Service — Report 2020–21
- Glenelg Hopkins Catchment Management Authority — Report 2020–21
- Goulburn Broken Catchment Management Authority — Report 2020–21
- Goulburn-Murray Rural Water Corporation — Report 2020–21
- Goulburn Valley Region Water Corporation — Report 2020–21
- Grampians Wimmera Mallee Water Corporation — Report 2020–21
- Greater Metropolitan Cemeteries Trust — Report 2020–21
- Greyhound Racing Victoria — Report 2020–21
- Harness Racing Victoria — Report 2020–21
- Health, Department of — Report 2020–21
- Health Purchasing Victoria (HealthShare Victoria) — Report 2020–21
- Independent Broad-based Anti-corruption Commission — Report 2020–21 — Ordered to be published
- Infrastructure Victoria — Report 2020–21
- Jobs, Precincts and Regions, Department of — Report 2020–21
- Justice and Community Safety, Department of — Report 2020–21
- Kardinia Park Stadium Trust — Report 2020–21
- Kooweerup Regional Health Service — Report 2020–21
- Labour Hire Licensing Authority — Report 2020–21
- Latrobe Regional Hospital — Report 2020–21
- Legal Practitioners' Liability Committee — Report 2020–21
- Legal Services Council and Commissioner for Uniform Legal Services Regulation — Report 2020–21
- Library Board of Victoria — Report 2020–21

Lower Murray Urban and Rural Water Corporation — Report 2020–21

Mallee Catchment Management Authority — Report 2020–21

Mallee Track Health and Community Service — Report 2020–21

Maryborough District Health Service — Report 2020–21

Melbourne Convention and Exhibition Trust — Report 2020–21

Melbourne Health (Royal Melbourne Hospital) — Report 2020–21

Melbourne Market Authority — Report 2020–21

Melbourne Port Lessor Pty Ltd — Report 2020–21

Melbourne Recital Centre — Report 2020–21

Melbourne Water Corporation — Report 2020–21

Mental Health Complaints Commissioner — Report 2020–21

Mental Health Tribunal — Report 2020–21

Mercy Hospitals Victoria Ltd — Report 2020–21

Mine Land Rehabilitation Authority — Report 2020–21

Monash Health — Report 2020–21

Museums Board of Victoria — Report 2020–21

National Gallery of Victoria (NGV) — Report 2020–21

National Rail Safety Regulator, Office of the — Report 2020–21

North Central Catchment Management Authority — Report 2020–21

North East Catchment Management Authority — Report 2020–21

North East Region Water Corporation — Report 2020–21

Northern Health — Report 2020–21

Ombudsman — Report 2020–21 — Ordered to be published

Parks Victoria — Report 2020–21

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2020–21 Budget Estimates

Peter MacCallum Cancer Centre — Report 2020–21

Phillip Island Nature Parks — Report 2020–21

Police Registration and Services Board — Report 2020–21

Port of Hastings Development Authority — Report 2020–21

Port Phillip and Westernport Catchment Management Authority — Report 2020–21

Portable Long Service Benefits Authority — Report 2020–21

Post Sentence Authority — Report 2020–21

Premier and Cabinet, Department of — Report 2020–21

PrimeSafe — Report 2020–21

Public Interest Monitor — Report 2020–21

Public Prosecutions, Office of — Report 2020–21

Queen Elizabeth Centre — Report 2020–21

Racing Integrity Commissioner — Report 2020–21

Regional Development Victoria — Report 2020–21

Remembrance Parks Central Victoria — Report 2020–21

Renewable Energy (Jobs and Investment) Act 2017 — Victorian Renewable Energy Target 2020–21 Progress Report

Residential Tenancies Bond Authority — Report 2020–21

Respect Victoria — Report 2020–21

Robinvale District Health Services — Report 2020–21

Rochester and Elmore District Health Service — Report 2020–21

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2020–21

Rolling Stock (Victoria-VL) Pty Ltd — Report 2020–21

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- Rolling Stock (VL-1) Pty Ltd — Report 2020–21
- Rolling Stock (VL-2) Pty Ltd — Report 2020–21
- Rolling Stock (VL-3) Pty Ltd — Report 2020–21
- Royal Children’s Hospital — Report 2020–21
- Royal Victorian Eye and Ear Hospital — Report 2020–21
- Royal Women’s Hospital — Report 2020–21
- Sentencing Advisory Council — Report 2020–21
- Shrine of Remembrance Trustees — Report 2020–21
- South East Water Corporation — Report 2020–21
- South Gippsland Region Water Corporation — Report 2020–21
- Southern Metropolitan Cemeteries Trust — Report 2020–21
- St Vincent’s Hospital (Melbourne) Ltd — Report 2020–21
- State Electricity Commission of Victoria — Report 2020–21
- State Sport Centres Trust — Report 2020–21
- State Trustees Ltd — Report 2020–21
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rule 133
- Surveyor-General — Report 2020–21 on the administration of the *Survey Co-ordination Act 1958*
- Transport Accident Commission (TAC) — Report 2020–21
- Transport, Department of — Report 2020–21
- Treasury and Finance, Department of — Report 2020–21
- Treasury Corporation of Victoria — Report 2020–21
- V/Line Corporation — Report 2020–21
- Victims of Crime Assistance Tribunal — Report 2020–21
- Victims of Crime Commissioner — Report 2020–21

Victoria Police:

Report 2019–20 under s 30L of the *Surveillance Devices Act 1999*

Report 2020–21

Report 2020–21 under s 20R of the *Witness Protection Act 1991*

Report 2020–21 under s 30L of the *Surveillance Devices Act 1999*

Report 2020–21 under s 42BI of the *Evidence (Miscellaneous Provisions) Act 1958*

Report 2020–21 under s 133 of the *Criminal Organisations Control Act 2012*

Victoria Police, Chief Commissioner — Report 2019–20 under s 139A of the *Confiscation Act 1997*

Victorian Arts Centre Trust — Report 2020–21

Victorian Catchment Management Council — Report 2020–21

Victorian Curriculum and Assessment Authority — Report 2020–21

Victorian Disability Worker Commission and Disability Worker Registration Board of Victoria — Report 20 August 2019 to 30 June 2021

Victorian Electoral Commission — Report 2020–21

Victorian Environmental Assessment Council — Report 2020–21

Victorian Environmental Water Holder — Report 2020–21

Victorian Fisheries Authority — Report 2020–21

Victorian Funds Management Corporation — Report 2020–21

Victorian Health Promotion Foundation (VicHealth) — Report 2020–21

Victorian Inspectorate — Report 2020–21

Victorian Institute of Forensic Medicine — Report 2020–21

Victorian Institute of Teaching — Report 2020–21

Victorian Legal Services Board and Victorian Legal Services Commissioner — Report 2020–21 — Ordered to be published

Victorian Local Government Grants Commission — Allocation Report 2021–22

Victorian Managed Insurance Authority — Report 2020–21

Victorian Marine and Coastal Council — Report 2020–21

Victorian Ports Corporation (Melbourne) — Report 2020–21

Victorian Public Sector Commission — Report 2020–21

Victorian Rail Track (VicTrack) — Report 2020–21

Victorian Regional Channels Authority — Report 2020–21

Victorian Registration and Qualifications Authority — Report 2020–21

Victorian Small Business Commission — Report 2020–21 — Ordered to be published

Victorian Veterans Council — Report 2020–21

Victorian WorkCover Authority (WorkSafe Victoria) — Report 2020–21

Wannon Region Water Corporation — Report 2020–21

West Gippsland Catchment Management Authority — Report 2020–21

Western Health — Report 2020–21

Western Region Water Corporation — Report 2020–21

Westernport Region Water Corporation — Report 2020–21

Wimmera Catchment Management Authority — Report 2020–21

Yarra Valley Water Corporation — Report 2020–21

Youth Parole Board — Report 2020–21

Zoological Parks and Gardens Board (Zoos Victoria) — Report 2020–21.

3 **SITTING OF THE HOUSE** — Motion made and question — That:

- (1) The House, at its rising, adjourns until Tuesday 16 November 2021, or an earlier day and hour to be fixed by the Speaker.
- (2) If, in the opinion of the Speaker, the date of the next scheduled sitting or a rescheduled sitting should be changed on the basis of health advice, the Speaker will consult with the Leader of the House and the Manager of Opposition Business to set a new day and hour to meet.
- (3) The Speaker will notify members of any changes to the next sitting date

(Mr Pakula) — put and agreed to.

4 **STATEMENTS BY MEMBERS** — Members made statements.

5 **CIRCULAR ECONOMY (WASTE REDUCTION AND RECYCLING) BILL 2021** — Ms D’Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D’Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Rowswell*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 11 November 2021.

6 **EQUAL OPPORTUNITY (RELIGIOUS EXCEPTIONS) AMENDMENT BILL 2021** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Rowswell*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 11 November 2021.

7 **PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

The sitting was suspended at 1.00 pm then business was interrupted at 2.00 pm under the resolution of the House on Tuesday 26 October 2021.

8 **QUESTION TIME** — (Under Sessional Order 9).

9 **PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 16

Lizzie Blandthorn; Josh Bull; Anthony Carbines; Darren Cheeseman; Paul Edbrooke; Will Fowles; Matt Fregon; Danielle Green; Katie Hall; Gary Maas; Pauline Richards; Ros Spence; Nick Staikos; Natalie Suleyman; Kat Theophanous; Gabrielle Williams.

NOES 11

Brad Battin; Roma Britnell; Ali Cupper; Emma Kealy; Danny O'Brien; Richard Riordan; Brad Rowswell; Suzanna Sheed; Tim Smith; Louise Staley; Bridget Vallence.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Juliana Addison; Jacinta Allan; Chris Brayne; Ben Carroll; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Richardson; Robin Scott; Michaela Settle; Meng Heang Tak; Jackson Taylor; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES

Gary Blackwood; Roma Britnell; Tim Bull; David Hodgett; Cindy McLeish; David Morris; James Newbury; Russell Northe; Michael O'Brien; Steph Ryan; Kim Wells.

Ordered — That the debate be adjourned until later this day.

- 10 **WINDFALL GAINS TAX AND STATE TAXATION AND OTHER ACTS FURTHER AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this Bill be withdrawn and redrafted to:

- (1) take into account further and proper consultation with the property and development sector and young Victorian families about the Windfall Gains Tax in relation to the potential for higher housing costs; and
- (2) retain the remaining provisions of the Bill'

(Mr Smith, Kew) — and, after debate —

Motion made and question — That the debate be now adjourned *(Ms Hutchins)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Terrorism (Community Protection) Amendment Bill 2021 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 12 **TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2021** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the following amendments be agreed to:

1. Clause 1, page 2, after line 17 insert—
 - “(ba) to amend the **Juries Act 2000** to provide for the Juries Commissioner to exempt a person or a class of persons from selection to be summoned for jury service based on health, safety or welfare concerns; and”.
2. Clause 2, line 22, after “Part 4,” insert “Part 4A”.
3. Page 146, after line 9 insert the following new Part heading—

“Part 4A—Amendment of the Juries Act 2000”.

NEW CLAUSES

4. Insert the following New Clauses to follow clause 30 and the Part heading proposed by amendment 3—

‘30A Questionnaire

In section 20(1) of the **Juries Act 2000**, after “period” insert “or whether the person may be exempted under section 27(4) from being summoned for jury service”.

30B Summons

- (1) After section 27(3) of the **Juries Act 2000** insert—

“(4) The Juries Commissioner, in the Commissioner’s discretion, may exempt a person or class of persons from being summoned if, in the Commissioner’s opinion, there is good cause to do so based on health, safety or welfare concerns relating to the person, that class of persons or the community.

- (5) In deciding whether there is good cause to make an exemption under subsection (4), the Juries Commissioner—

(a) may consult with the Chief Health Officer within the meaning of section 3(1) of the **Public Health and Wellbeing Act 2008**; and

- (b) may make any enquiries and request any documents or other information the Commissioner considers necessary to determine whether a person or class of persons should be exempt from being summoned for good cause based on health, safety or welfare concerns relating to the person, that class of persons or the community.
- (6) If the Juries Commissioner exempts a person or a class of persons under subsection (4), the Commissioner must notify the person or any person who belongs to that class of persons about the exemption.
- (7) The Juries Commissioner—
- (a) is not required to issue a summons to a person or class of persons exempted under subsection (4); and
- (b) may recall and cancel any summons issued to a person who is exempted under subsection (4) after the issue of a summons to that person, whether the summons was issued before, on or after the commencement of this subsection and regardless of when the decision to exempt is made.
- (8) An exemption under subsection (4) may be made at any time before a person becomes a member of a panel.
- (9) For the avoidance of doubt, a person cannot waive an exemption made under subsection (4).”.

30C Obligation to answer questions or produce document

In section 68(2) of the **Juries Act 2000**, after “jury service” insert “, whether the person may be exempted under section 27(4) from being summoned for jury service or whether a summons should be recalled or cancelled under section 27(7)(b)”.

30D New section 101 inserted

After section 100 of the **Juries Act 2000** insert—

“101 Repeal of powers to exempt from being summoned

- (1) On 26 October 2022—
- (a) in section 20(1), **omit** “or whether the person may be exempted under section 27(4) from being summoned for jury service”;
- (b) in section 27, subsections (4) to (9) are **repealed**;

(c) in section 68(2), **omit** “, whether the person may be exempted under section 27(4) from being summoned for jury service or whether a summons should be recalled or cancelled under section 27(7)(b)”.

(2) This section is **repealed** on 27 October 2022.”.’.

AMENDMENT OF LONG TITLE

5. Long Title, after “other Acts” insert “, to amend the **Juries Act 2000** to provide for the Juries Commissioner to exempt persons or classes of person from being summoned for jury service”.

(*Ms Hutchins*) — and, after debate —

Amendment No 4 — Amendment proposed:

In proposed New Clause 30D after “27 October 2022.” insert —

“101A Review by Scrutiny of Acts and Regulations Committee

The Scrutiny of Acts and Regulations Committee must report to both Houses of Parliament on the operation of the amendments to the **Juries Act 2000** made by the **Terrorism (Community Protection) Amendment Act 2021** by 16 November 2021.”

(*Mr Smith, Kew*) — and, after debate —

Question — That the amendment moved by Mr Smith (*Kew*) be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 10

Brad Battin; Roma Britnell; Danny O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; Louise Staley.

NOES 17

Lizzie Blandthorn; Josh Bull; Anthony Carbines; Darren Cheeseman; Ali Cupper; Will Fowles; Paul Hamer; Jill Hennessy; Natalie Hutchins; John Kennedy; Pauline Richards; Tim Richardson; Ros Spence; Natalie Suleyman; Kat Theophanous; Mary-Anne Thomas; Gabrielle Williams.

Question defeated.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Gary Blackwood; David Hodgett; Cindy McLeish; Russell Northe.

NOES

Daniel Andrews; Chris Brayne; Ben Carroll; Jordan Crugnale; Lily D'Ambrosio; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Dustin Halse; Sonya Kilkenny; Stephen McGhie; Frank McGuire; Lisa Neville; Danny Pearson; Robin Scott; Nick Staikos; Jackson Taylor; Vicki Ward.

Question — That the amendments made by the Legislative Council be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 13 **WINDFALL GAINS TAX AND STATE TAXATION AND OTHER ACTS FURTHER AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted and replaced with the words 'this Bill be withdrawn and redrafted to: (1) take into account further and proper consultation with the property and development sector and young Victorian families about the Windfall Gains Tax in relation to the potential for higher housing costs; and (2) retain the remaining provisions of the Bill' — and, after debate —

Amendment proposed to Mr Smith's (*Kew*) reasoned amendment — That after 'consultation' the following words be inserted 'with regional Victorians on whether they should be included with metropolitan Melbourne in the application of the Windfall Gains Tax, and' (*Ms Sheed*) — and, after debate —

Allocation of time — *The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 26 October 2021 had expired.*

Question — That the words proposed by Ms Sheed's amendment be inserted into Mr Smith's (*Kew*) amendment — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 26

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 51

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Emma Kealy; Russell Northe.

NOES

Daniel Andrews; Ben Carroll; John Eren; Lisa Neville.

Question — That the words proposed to be omitted by Mr Smith's (*Kew*) amendment stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 25

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowsell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Ben Carroll; John Eren; Lisa Neville.

NOES

Emma Kealy; Russell Northe.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 25

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Ben Carroll; John Eren; Sam Hibbins; Lisa Neville.

NOES

Emma Kealy; Russell Northe.

Question — That this Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 25

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Ben Carroll; John Eren; Sam Hibbins; Lisa Neville.

NOES

Emma Kealy; Russell Northe.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 14 **SEX WORK DECRIMINALISATION BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until: (1) a redacted and de-identified copy of Ms Fiona Patten’s Government-commissioned review is released to members, to enable them to scrutinise the recommendations that have led to the proposed legislation; (2) consultation occurs between the Department of Justice and Community Safety and Victoria Police to facilitate an objective definition of “near” in relation to exclusion zones to remove any ambiguity and cause for community dissatisfaction when authorities are policing the law; (3) the Minister confirms what support programs and mechanisms will be put in place to support workers from a health and safety perspective; and (4) consultation occurs between the Department of Justice and Community Safety and stakeholders (both individual and representative groups) on the proposal to remove the protection for landlords that currently allows them to refuse accommodation to sex workers if that worker wishes to conduct sex work within that accommodation’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 53

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 24

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Ben Carroll; John Eren; Sam Hibbins; Lisa Neville.

NOES

Emma Kealy; Russell Northe.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 53

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 24

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Ben Carroll; John Eren; Sam Hibbins; Lisa Neville.

NOES

Emma Kealy; Russell Northe.

Bill sent to the Legislative Council and their agreement requested.

- 15 **VICTORIAN COLLABORATIVE CENTRE FOR MENTAL HEALTH AND WELLBEING BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **SPECIAL INVESTIGATOR BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 26

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

The following members, who were not in attendance for the division, registered their opinion on the question:

AYES

Daniel Andrews; Ben Carroll; John Eren; Sam Hibbins; Lisa Neville.

NOES

Emma Kealy; Russell Northe.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 6.05 pm under sessional orders.

- 18 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 6.24 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 131, 132 and 133

No 131 — Tuesday 16 November 2021

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SITTING ARRANGEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and to remain in place until 29 November 2021:

Public galleries deemed part of Chamber to assist with physical distancing

- (1) The lower and upper public galleries are included as part of the Legislative Assembly Chamber at all times.
- (2) The Speaker will allocate seats in the Chamber to the parties and independent members as follows:
 - (a) a maximum of 56 members and the Chair on the floor of the Chamber;
 - (b) a maximum of 15 members in the lower public galleries; and
 - (c) a maximum of 16 members in the upper public gallery.
- (3) Members may only seek the call from the floor of the Chamber or the lower public galleries.
- (4) The House authorises Protective Services Officers to be present in the upper public gallery as required, in accordance with their normal operational duties.

Divisions

- (5) Divisions will take place as follows:
 - (a) the Chair will direct the Clerk to ring the bells for four minutes for the first division and one minute for any subsequent divisions;
 - (b) members must take a seat in accordance with paragraph (2);
 - (c) the Chair will direct that the doors, including the doors to the public galleries, be locked and state the question being voted on;

- (d) the Chair will ask members who are voting 'aye' to stand in their place and, in turn, will ask members who are voting 'no' to stand in their place;
- (e) the Clerk will count the votes; and
- (f) the Chair will announce the result to the House

(Ms Allan) — put and agreed to.

3 **QUESTION TIME** — (Under Sessional Order 9).

4 **MAJOR EVENTS LEGISLATION AMENDMENT (UNAUTHORISED TICKET PACKAGES AND OTHER MATTERS) BILL 2021** — Mr Pakula introduced 'A Bill for an Act to amend the *Major Events Act 2009* to prevent the unauthorised advertising and sale of ticket packages for sports ticketing events and ticketed events to which a major event ticketing declaration applies and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

5 **SERVICE VICTORIA AMENDMENT BILL 2021** — Mr Pearson introduced 'A Bill for an Act to amend the *Service Victoria Act 2018* to expand the ability of Service Victoria to deliver Government services to the public and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Theophanous, Chair, tabled the Alert Digest No 15 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Casino and Gambling Legislation Amendment Bill 2021
 Circular Economy (Waste Reduction and Recycling) Bill 2021
 Constitution Amendment (State of Emergency and State of Disaster) Bill 2021
 Equal Opportunity (Religious Exceptions) Amendment Bill 2021
 Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Bill 2021
 Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021
 Terrorism (Community Protection) Amendment Act 2021 (House Amendment)

together with appendices.

Ordered to be published.

PARLIAMENTARY BUDGET OFFICE — Ms Blandthorn, Chair, Public Accounts and Estimates Committee, tabled the Parliamentary Budget Office Report 2020–21.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Wycheproof Public Park Reserve

Conservation, Forests and Lands Act 1987 — Variation of the code of practice for timber production 2014 (No 1/2021)

Emergency Services Superannuation Scheme (ESSS) — Actuarial investigation as at 30 June 2021

Essential Services Commission — Report 2020–21

Financial Management Act 1994:

2021–22 Quarterly Financial Report No 1

Report from the Minister for Planning that he had not received the report 2020–21 of the Surveyors Registration Board of Victoria, together with an explanation for the delay

Report from the Minister for Tourism, Sport and Major Events that he had not received the report 2020–21 of the Emerald Tourist Railway Board, together with an explanation for the delay

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 123 (*Gazette G42, 21 October 2021*)

Land Tax Act 2005 — Report 2020–21 of Land Tax Absentee Owner Surcharge Exemptions under s 3BB

Melbourne and Olympic Parks Trust — Report 2020–21

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C60 Parts 1 and 2

Ballarat — GC179

Banyule — C163

Boroondara — C308, C364

Frankston — C151

Glen Eira — C192

Greater Bendigo — GC179

Greater Shepparton — C205

Hepburn — C86

Hume — C251

Knox — C180, C193

Melbourne — C388, C414

Moonee Valley — C222

Moreland — C180

Mornington Peninsula — GC179

Nillumbik — GC179

South Gippsland — GC179

Warrnambool — C202
Yarra Ranges — C158 Part 2

Professional Standards Act 2003 — The Institute of Public Accountants Professional Standards Scheme (*Gazette S598, 27 October 2021*)

Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of the State of Emergency — 20th Report

Statutory Rules under the following Acts:

Environment Protection Act 2017 — SRs 131, 132

Liquor Control Reform Act 1998 — SR 130

Public Health and Wellbeing Act 2008 — SR 129

Service Victoria Act 2018 — SR 133

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 130, 131, 132, 134, 137

Documents under s 16B in relation to:

Conservation, Forests and Lands Act 1987 — Variation of the code of practice for timber production 2014 (No 1/2021)

Professional Standards Act 2003 — The Institute of Public Accountants Professional Standards Scheme

Victims' Charter Act 2006 — Improving victims' experience of summary proceedings

Victorian Funds Management Corporation (VFMC) — Report 2020–21 (*replacement for copy tabled on Thursday 28 October 2021*)

Victorian Law Reform Commission — Improving the Justice System Response to Sexual Offences — Ordered to be published.

PROCLAMATION — Under Standing Order 177A, the Clerk tabled the following proclamation fixing an operative date:

Victorian Civil and Administrative Tribunal and Other Acts Amendment (Federal Jurisdiction and Other Matters) Act 2021 — Part 3 — 26 October 2021 (*Gazette S596, 26 October 2021*).

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Liquor Control Reform Amendment Bill 2021 without amendment.

8 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 3 November 2021

Education and Training Reform Amendment (Senior Secondary Pathways Reforms and Other Matters) Bill 2021

Forests Amendment (Forest Firefighters Presumptive Rights Compensation) Bill 2021

Terrorism (Community Protection) Amendment Bill 2021

Water and Catchment Legislation Amendment Bill 2021

On 9 November 2021

Liquor Control Reform Amendment Bill 2021.

- 9 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Casino and Gambling Legislation Amendment Bill 2021

Circular Economy (Waste Reduction and Recycling) Bill 2021

Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Bill 2021.

- 10 **COMMITTEE RESIGNATIONS** — The Speaker announced that he had received the resignation of Mr Guy from the Electoral Matters Committee, effective from 28 October 2021, and the resignation of Mr Smith (*Warrandyte*) from the Scrutiny of Acts and Regulations Committee, effective from today.

- 11 **ELECTORAL MATTERS COMMITTEE** — Motion made, by leave, and question — That Mr Rowswell be a member of the Electoral Matters Committee (*Ms Allan*) — put and agreed to.

- 12 **COMPLAINT** — The Speaker informed the House that on Thursday 28 October 2021 the Member for Polwarth had lodged with him written notification of a complaint of a breach of privilege, alleging that a range of actions by Victoria Police, and the release of CCTV footage by the Department of Parliamentary Services, improperly interfered with the free performance of his duties as a member — and, the Speaker being of the opinion that the complaint should be given precedence —

Motion made and question — That the complaint made by the Member for Polwarth on Tuesday 16 November 2021 be referred to the Privileges Committee for examination and report (*Mr Riordan*) — after debate, put and agreed to.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 18 November 2021:

Casino and Gambling Legislation Amendment Bill 2021

Circular Economy (Waste Reduction and Recycling) Bill 2021

Equal Opportunity (Religious Exceptions) Amendment Bill 2021

Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Bill 2021

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 49

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Brad Battin; Gary Blackwood; Roma Britnell; Neale Burgess; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; Russell Northe; Danny O’Brien; Michael O’Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 14 **STATEMENTS BY MEMBERS** — Members made statements.
- 15 **SESSIONAL ORDERS** — Motion made and question — That Sessional Order 3 be omitted and replaced with the following to come into effect on the next sitting day:

‘3 Order of business

- (1) So much of Standing Orders 36, 38, 39, 41 and 55 be suspended so as to enable the following order of business on:

Tuesdays

Formal business
 Statements by members
 Government business
 Question time (2.00 pm)
 Government business *continued*
 General business

Wednesdays

Formal business
 Disallowance motions
 Statements by members
 Statements on parliamentary committee reports
 Government business
 Question time (2.00 pm)
 Government business *continued*
 Matter of public importance *or* grievance debate (4.00 pm)

Government business *continued*

General business

- (2) So much of Standing Orders 38 and 39 be suspended so as to enable:
- (a) at 4.00 pm on Wednesday, unless a division is taking place, the Chair interrupts the business before the House and the bells are then rung for one minute;
 - (b) if a division is taking place at 4.00 pm:
 - (i) it will be completed without interruption and result announced;
 - (ii) if the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with;
 - (iii) business is then interrupted following the procedure in sub-paragraph (a);
 - (c) the Chair announces the grievance debate or matter of public importance, whichever the case may be;
 - (d) any business under discussion and not completed at the interruption will be resumed immediately at the end of the grievance debate or matter of public importance, whichever the case may be, and any member speaking at the time of the interruption may then continue his or her speech.
- (3) In Standing Order 39(9) for 'statements on parliamentary committee reports under SO 41' read 'government business'.

(Mr Wynne) — put and agreed to.

- 16 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 1 and 2, be postponed until later this day.
- 17 **CIRCULAR ECONOMY (WASTE REDUCTION AND RECYCLING) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.27 pm.

No 132 — Wednesday 17 November 2021

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Social housing across the Corangamite Shire — Requesting that the Legislative Assembly calls on the Government to note the proposal for high density social housing in Camperdown and to support less dense housing projects throughout the Corangamite Shire, bearing 446 signatures (*Mr Riordan*).

Ordered to be tabled.

- 3 **PETITION — SOCIAL HOUSING ACROSS THE CORANGAMITE SHIRE** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

- 4 **DOCUMENTS**

INTEGRITY AND OVERSIGHT COMMITTEE — Ms Hennessy, Chair, tabled a report from the Integrity and Oversight Committee on the Inquiry into the Performance of Victorian Integrity Agencies 2019/20, together with an appendix and transcripts of evidence.

Report and appendix ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Report on the Annual Financial Report of the State of Victoria: 2020–21 — Ordered to be published

Supplying and Using Recycled Water — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 129.

- 5 **STATEMENTS BY MEMBERS** — Members made statements.
- 6 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.
- 7 **MAJOR EVENTS LEGISLATION AMENDMENT (UNAUTHORISED TICKET PACKAGES AND OTHER MATTERS) BILL 2021** — Mr Pakula tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 1 December 2021.

- 8 **SERVICE VICTORIA AMENDMENT BILL 2021** — Mr Pearson tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pearson*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 1 December 2021.

- 9 **EQUAL OPPORTUNITY (RELIGIOUS EXCEPTIONS) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until there has been more time to consult with affected stakeholders’ (*Mr Battin*) — and, after debate —

Business was interrupted 2.00 pm under sessional orders.

- 10 **QUESTION TIME** — (Under Sessional Order 9).

- 11 **EQUAL OPPORTUNITY (RELIGIOUS EXCEPTIONS) AMENDMENT BILL 2021** — Debate continued on question — That this Bill be now read a second time — *and on the amendment* —

Motion made and question — That the debate be now adjourned (*Ms Horne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL PROCEDURE DISCLOSURE AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 4.00 pm under sessional orders.

13 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT APPROACH TO PANDEMIC MANAGEMENT** — The Speaker read Ms Staley’s proposal to the House —

‘That this House expresses its concerns about the Government’s approach to pandemic management, noting the comments of:

- (1) Victorian Ombudsman Deborah Glass who said, “a greater level of independent oversight and independent review is needed”;
- (2) the Victorian Bar Council, which stated that the Government’s approach does “not go far enough to protect the rule of law”;
- (3) Melbourne University Law School Associate Professor William Partlett who said, “there’s not enough done with respect to parliamentary scrutiny and also an independent merits review of detention powers”; and
- (4) the Law Institute of Victoria which said that Victorians’ rights are not sufficiently protected, including “many powers appear to be an unnecessary infringement on democratic rights and freedoms with little oversight offered by a truly independent body”.’

Ms Staley addressed the House — Discussion followed.

14 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL PROCEDURE DISCLOSURE AND OTHER MATTERS) BILL 2021** — Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

15 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 133 — Thursday 18 November 2021

1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS**

VICTORIAN PROFESSIONAL STANDARDS COUNCILS — Report 2020–21 (two documents) tabled by leave (*Ms Hutchins*).

JUDICIAL COMMISSION OF VICTORIA — Report 2020–21 tabled by leave (*Ms Hutchins*).

JUDICIAL COLLEGE OF VICTORIA — Report 2020–21 tabled by leave (*Ms Hutchins*).

SUSTAINABILITY FUND ACTIVITIES — Report 2020–21 tabled by leave (*Ms D’Ambrosio*)

DOCUMENTS TABLED BY COMMAND OF THE GOVERNOR — The Clerk announced that the following documents had been lodged for presentation by Command of the Governor:

Children’s Court of Victoria — Report 2020–21

County Court of Victoria — Report 2020–21

Magistrates’ Court of Victoria — Report 2020–21

Supreme Court of Victoria — Report 2020–21.

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Albury Wodonga Health — Report 2020–21

Alexandra Health Service — Report 2020–21

Alpine Health — Report 2020–21

Alpine Resorts Co-ordinating Council — Report 2020–21

Australian Criminal Intelligence Commission — Report 2020–21 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Australian Health Practitioner Regulation Agency — Report 2020–21

Ballarat Health Services — Report 2020–21

Barwon Health — Report 2020–21

Bass Coast Health — Report 2020–21

Beechworth Health Service — Report 2020–21

Benalla Health — Report 2020–21

Boort District Health — Report 2020–21

Casterton Memorial Hospital — Report 2020–21

Castlemaine Health — Report 2020–21

Central Gippsland Health Service — Report 2020–21

Central Highlands Rural Health — Report 2020–21

Cladding Safety Victoria — Report 2020–21

Cohuna District Hospital — Report 2020–21

Colac Area Health — Report 2020–21

Community Visitors — Report 2020–21 — Ordered to be published

Corryong Health — Report 2020–21

Country Fire Authority (CFA) — Report 2020–21

Court Services Victoria — Report 2020–21

Djerriwarrh Health Services — Report 2020–21

East Grampians Health Service — Report 2020–21

East Wimmera Health Service — Report 2020–21

Environment, Land, Water and Planning, Department of — Report 2020–21 under s 30L of the *Surveillance Devices Act 1999*

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had received the:

Report 2018–19 of the Yorta Yorta Traditional Owner Land Management Board, together with an explanation for the delay

Report 2019–20 of the Yorta Yorta Traditional Owner Land Management Board, together with an explanation for the delay

Reports 2020–21 of the:

Barwon South West Waste and Resource Recovery Group

Commissioner for Environmental Sustainability

Grampians Central West Waste and Resource Recovery Group

Loddon Mallee Waste and Resource Recovery Group

North East Waste and Resource Recovery Group

Reports from the Minister for Health that he had received the reports 2020–21 of the:

Mildura Cemetery Trust

Victorian Assisted Reproductive Treatment Authority

Victorian Pharmacy Authority

Report from the Minister for Planning that he had received the Report 2020–21 of the Heritage Council of Victoria

Fire Rescue Victoria — Report 2020–21

Fire Rescue Victoria Act 1958 — Year Two to Five Fire Services Reform Implementation Plan

Fire Services Implementation Monitor — Report 2020–21

Game Management Authority — Report 2020–21 (*replacement for copy tabled on Thursday 28 October 2021*)

Goulburn Valley Health — Report 2020–21

Great Ocean Road Coast and Parks Authority — Report 2020–21

Great Ocean Road Health — Report 2020–21

Heathcote Health — Report 2020–21

Hesse Rural Health Service — Report 2020–21

Heywood Rural Health Service — Report 2020–21

Independent Broad-based Anti-corruption Commission — Report 2020–21 under s 30L of the *Surveillance Devices Act 1999*

Inglewood and Districts Health Service — Report 2020–21

Judicial Entitlements Panel — Own Motion Recommendations to the Attorney-General, September 2021

Kerang District Health — Report 2020–21

Kilmore District Health — Report 2020–21

Kyabram District Health Service — Report 2020–21

Legal Profession Uniform Law Application Act 2014:

Practitioner Remuneration Order 2021 (*replacement for copy tabled on Tuesday 10 November 2020*)

Practitioner Remuneration Order 2022

Local Jobs First — Report 2020–21

Maldon Hospital — Report 2020–21

Mansfield District Hospital — Report 2020–21

Mildura Base Public Hospital — Report 2020–21

Moyne Health Services — Report 2020–21

National Health Funding Pool, Administrator of — Report 2020–21

National Health Practitioner Ombudsman and Privacy Commissioner — Report 2020–21

NCN Health (Nathalia Cobram Numurkah) — Report 2020–21

Northeast Health Wangaratta — Report 2020–21

Occupational Health and Safety Act 2004 — Order approving the First aid in the workplace compliance code

Omeo District Health — Report 2020–21

Orbost Regional Health — Report 2020–21

Peninsula Health — Report 2020–21

Portland District Health — Report 2020–21

Public Advocate, Office of the — Report 2020–21 — Ordered to be published

Radiation Advisory Committee — Report 2020–21

Recreational Fishing Licence Trust Account — Report 2020–21

Road Safety Act 1986 — Document in relation to the Order Declaring Certain Motor Vehicles Not to Be Motor Vehicles — Electric Scooter Trial

Royal Botanic Gardens Board — Report 2020–21

Rural Northwest Health — Report 2020–21

Seymour Health — Report 2020–21

South Gippsland Hospital — Report 2020–21

South West Healthcare — Report 2020–21

Stawell Regional Health — Report 2020–21

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 135, 136, 138

Swan Hill District Health — Report 2020–21

Tallangatta Health Service — Report 2020–21

Terrang and Mortlake Health Service — Report 2020–21

Timboon and District Healthcare Service — Report 2020–21

Tweddle Child and Family Health Service — Report 2020–21

VicForests — Report 2020–21

Victoria Legal Aid — Report 2020–21

Victoria Police — Reports 2020–21 under:

Section 139A of the *Confiscation Act 1997*

Section 31 of the *Crimes (Assumed Identities) Act 2004*

Section 37F of the *Terrorism (Community Protection) Act 2003*

Victorian Building Authority — Report 2020–21

Victorian Civil and Administrative Tribunal (VCAT) — Report 2020–21

Victorian Equal Opportunity and Human Rights Commission — Report 2020–21 — Ordered to be published

Victorian Fisheries Authority — Report 2020–21 under s 30L of the *Surveillance Devices Act 1999*

Victorian Law Reform Commission — Report 2020–21 — Ordered to be published

Victorian Planning Authority — Report 2020–21

West Gippsland Healthcare Group — Report 2020–21

West Wimmera Health Service — Report 2020–21

Western District Health Service — Report 2020–21

Wimmera Health Care Group — Report 2020–21

Yarram and District Health Service — Report 2020–21

Yarrawonga Health — Report 2020–21

Yea and District Memorial Hospital — Report 2020–21.

- 3 **ENVIRONMENT AND PLANNING STANDING COMMITTEE** — Motion made, by leave, and question — That the reporting date for the Environment and Planning Standing Committee’s Inquiry into Environmental Infrastructure for Growing Populations be extended to no later than 10 February 2022 (*Ms Allan*) — put and agreed to.

- 4 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** — Motion made, by leave, and question — That Mr Morris be a member of the Scrutiny of Acts and Regulations Committee (*Ms Allan*) — put and agreed to.

- 5 **STATEMENTS BY MEMBERS** — Members made statements.

- 6 **CASINO AND GAMBLING LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Ms Ryan announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under standing orders.

- 7 **QUESTION TIME** — (Under Sessional Order 9).

- 8 **CASINO AND GAMBLING LEGISLATION AMENDMENT BILL 2021** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Thomas*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 9 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL PROCEDURE DISCLOSURE AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until a day and hour to be fixed by the Speaker, who will notify members accordingly (*Ms Williams*) — put and agreed to.

- 11 **CIRCULAR ECONOMY (WASTE REDUCTION AND RECYCLING) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 16 November 2021 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **EQUAL OPPORTUNITY (RELIGIOUS EXCEPTIONS) AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until there has been more time to consult with affected stakeholders’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 53

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 22

Brad Battin; Gary Blackwood; Roma Britnell; Neale Burgess; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; Russell Northe; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 53

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 22

Brad Battin; Gary Blackwood; Roma Britnell; Neale Burgess; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **CASINO AND GAMBLING LEGISLATION AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 14 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL PROCEDURE DISCLOSURE AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.18 pm under sessional orders.

- 15 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.47 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 134, 135, 136 and 137

No 134 — Tuesday 30 November 2021

- 1 The House met in accordance with the terms of its resolution of Thursday 18 November 2021, the Speaker having fixed today at 12.00 noon as the time of meeting — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF SIR JAMES GOBBO AC, CVO, QC** — Motion made and question — That this House expresses its sincere sorrow at the death of Sir James Gobbo AC, CVO, QC and places on record its acknowledgement of the valuable services rendered by him to the Commonwealth, the judiciary and the people of Victoria as Governor of Victoria from 1997 to 2000, Lieutenant Governor of Victoria from 1995 to 1997 and Judge of the Supreme Court from 1978 to 1994 (*Mr Andrews*) — members addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Sir James Gobbo AC, CVO, QC, the House now adjourns until 2.00 pm (*Mr Andrews*) — put and agreed to.

And the House, at 12.50 pm, adjourned until 2.00 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

**No 135 — Tuesday 30 November 2021
(2.00 pm)**

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2021** — Mr Foley introduced ‘A Bill for an Act to amend the **Health Services Act 1988** to provide for the appointment of a Chief Quality and Safety Officer, to provide for quality and safety reviews of health service entities, to create a new statutory duty of candour for health service entities, to amend the **Public Health and Wellbeing Act 2008** to confer additional functions on the Victorian Perioperative Consultative Council, to make consequential and miscellaneous

*amendments to the **Ambulance Services Act 1986**, the **Mental Health Act 2014** and the **Health Complaints Act 2016** and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 4 **REGULATORY LEGISLATION AMENDMENT (REFORM) BILL 2021** — Mr Pearson introduced '*A Bill for an Act to amend the **Child Wellbeing and Safety Act 2005**, the **Children's Services Act 1996**, the **Education and Care Services National Law Act 2010**, the **Education and Training Reform Act 2006**, the **Electoral Act 2002**, the **Electoral Boundaries Commission Act 1982**, the **Essential Services Commission Act 2001**, the **Financial Management Act 1994**, the **Housing Act 1983**, the **Industrial Relations Legislation Amendment Act 2021**, the **Interpretation of Legislation Act 1984**, the **Local Government Act 2020**, the **Parliamentary Committees Act 2003**, the **Pharmacy Regulation Act 2010**, the **Public Health and Wellbeing Act 2008** and the **Tobacco Act 1987** and to make minor and technical amendments to other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **MEMBER SUSPENDED** — The Clerk announced that the Member for Forest Hill had not complied with the resolution of the House on Thursday 14 October 2021 relating to COVID-19 vaccination requirements and, in accordance with that resolution, his suspension from the Chamber and precinct from 18 October 2021 continues.

6 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Theophanous, Chair, tabled the Alert Digest No 16 of 2021 from the Scrutiny of Acts and Regulations Committee on the:

Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Bill 2021

Service Victoria Amendment Bill 2021

Special Investigator Bill 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting leases over Victoria Park Reserve

Health Complaints Commissioner — Report 2020–21

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Statutory Rule 132 (*Gazette G46, 18 November 2021*)

Variation of the Code of Practice for Timber Production 2014 (No 1/2021) (*Gazette G47, 25 November 2021*)

North East Link Act 2020 — North East Link Tolling Agreement

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2019–20 financial and performance outcomes

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C183
Casey — C281, GC181, GC195
Darebin — GC195
Frankston — GC181
Greater Geelong — C425, C439
Hume — C252
Macedon Ranges — GC195
Moonee Valley — C223
Moreland — C214
Mornington Peninsula — C262 Part 1, C283
Nillumbik — C133, C145
Port Phillip — GC195
Pyrenees — C44
South Gippsland — GC195
Yarra — C298
Yarra Ranges — GC195
Yarriambiack — C23
Victoria Planning Provisions — VC214

Police Informants Royal Commission Implementation Monitor Act 2021 — Royal Commission into the Management of Police Informants: Progress Report 2020–21

Statutory Rules under the following Acts:

Child Wellbeing and Safety Act 2005 — SR 142
Control of Weapons Act 1990 — SR 138
Magistrates' Court Act 1989 — SR 143
Petroleum Act 1998 — SR 139
Victorian Civil and Administrative Tribunal Act 1998 — SR 141
Water Act 1989 — SR 140

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 139, 140, 141, 144
Documents under s 16B in relation to the *Duties Act 2000* — Guidelines under s 55

Victorian Institute of Forensic Mental Health (Forensicare) — Report 2020–21, together with an explanation for the delay

Victoria's Mental Health Services — Report 2020–21.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Suburban Rail Loop Act 2021 — Whole Act — 1 December 2021 (*Gazette S649, 23 November 2021*)

Victorian Civil and Administrative Tribunal and Other Acts Amendment (Federal Jurisdiction and Other Matters) Act 2021 — Remaining provisions — 29 November 2021 (*Gazette S649, 23 November 2021*).

- 7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Special Investigator Bill 2021

Victorian Collaborative Centre for Mental Health and Wellbeing Bill 2021

Windfall Gains Tax and State Taxation and Other Acts Further Amendment Bill 2021.

- 8 **MESSAGE FROM LEGISLATIVE COUNCIL — SENATE VACANCY** — Proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon Scott Ryan and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 1 December 2021 at 6.45 pm.

Ordered — That the message be taken into consideration later this day.

- 9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, today, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Special Investigator Bill 2021

Victorian Collaborative Centre for Mental Health and Wellbeing Bill 2021

Windfall Gains Tax and State Taxation and Other Acts Further Amendment Bill 2021.

- 10 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Bill 2021

Service Victoria Amendment Bill 2021.

- 11 **LEGAL AND SOCIAL ISSUES STANDING COMMITTEE** — Motion made, by leave, and question — That the reporting date for the Legal and Social Issues Standing Committee's Inquiry into support for older Victorians from migrant and refugee backgrounds be extended to no later than 30 June 2022 (*Ms Allan*) — put and agreed to.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 2 December 2021:

Domestic Animals Amendment (Reuniting Pets and Other Matters) Bill 2021
Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Bill 2021
Service Victoria Amendment Bill 2021

(Ms Allan) — after debate, put and agreed to.

13 **STATEMENTS BY MEMBERS** — Members made statements.

14 **DOMESTIC ANIMALS AMENDMENT (REUNITING PETS AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Mr Wynne)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

15 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 and 3, be postponed until later this day.

16 **ADDRESSES ON ROYAL COMMISSION INTO VICTORIA'S MENTAL HEALTH SYSTEM** — Order read for resuming debate on question — That this House takes note of the addresses given at the special sitting at the Royal Exhibition Building on 2 March 2021 for the presentation of the Final Report of the Royal Commission into Victoria's Mental Health System; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.26 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 136 — Wednesday 1 December 2021

1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **LIVESTOCK MANAGEMENT AMENDMENT (ANIMAL ACTIVISM) BILL 2021** — Ms Thomas introduced 'A Bill for an Act to amend the *Livestock Management Act 2010* to provide for biosecurity management plans, to create an offence relating to contravening prescribed biosecurity measures and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

3 **WORKPLACE SAFETY LEGISLATION AND OTHER MATTERS AMENDMENT BILL 2021** — Ms Horne introduced ‘*A Bill for an Act to amend the **Accident Compensation Act 1985**, the **Dangerous Goods Act 1985**, the **Equipment (Public Safety) Act 1994**, the **Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019**, the **Legal Profession Uniform Law Application Act 2014**, the **Occupational Health and Safety Act 2004**, the **Workplace Injury Rehabilitation and Compensation Act 2013** and the **Victims of Crime Assistance Act 1996** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Emerald Tourist Railway Board (Puffing Billy Railway) — Report 2020–21

LanguageLoop — Report 2020–21

Victorian Commission for Gambling and Liquor Regulation — Report 2020–21

Victorian Responsible Gambling Foundation — Report 2020–21.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Essential Services Commission (Compliance and Enforcement Powers) Amendment Act 2021 — Remaining provisions — 1 December 2021 (*Gazette S673, 30 November 2021*)

Justice Legislation Amendment (Criminal Appeals) Act 2019 — Division 1 of Part 2 — 4 December 2021 (*Gazette S673, 30 November 2021*).

5 **STATEMENTS BY MEMBERS** — Members made statements.

Ms Staley presented a petition requesting that the Legislative Assembly calls on the Government to protect and preserve valuable irrigated farmland, and the historic natural landscapes, which are threatened by AUSNET’s proposed high voltage transmission lines, which will destroy Victoria’s food bowl and negatively impact farmers’ livelihoods and local communities, bearing 408 signatures.

6 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

7 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2021** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 15 December 2021.

- 8 **REGULATORY LEGISLATION AMENDMENT (REFORM) BILL 2021** — Mr Pearson tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pearson*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Newbury*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 15 December 2021.

- 9 **SERVICE VICTORIA AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 10 **QUESTION TIME** — (Under Sessional Order 9).

- 11 **SERVICE VICTORIA AMENDMENT BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021 and suggesting amendments.

Ordered — That the suggested amendments be taken into consideration later this day.

- 13 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Speaker announced that he had received a letter from the Governor advising that she had, today, received the resignation of the Hon Edward O'Donohue from the Legislative Council.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL — JOINT SITTING** — Proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to:

- (1) choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon Scott Ryan; and
- (2) choose a person to hold the seat in the Council rendered vacant by the resignation of the Hon Edward O'Donohue —

and that the place and time of such meeting be the Legislative Assembly Chamber today at 6.45 pm.

Motion made and question — That the message be taken into consideration later this day (*Ms D'Ambrosio*) —

Amendment proposed — That all the words after 'consideration' be omitted and replaced with the word 'immediately' (*Ms Staley*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 53

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Russell Northe; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES 22

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That the message be taken into consideration later this day — put and agreed to.

15 **MESSAGE FROM THE GOVERNOR** — Recommending a further appropriation for the purposes of the Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021.

16 **PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021** — Order read for the consideration of the amendments suggested by the Legislative Council.

Motion made and question — That this House makes the suggested amendments (*Ms Allan*) — and, after debate —

Amendment proposed — That the word ‘makes’ be omitted and replaced with the words ‘defers indefinitely’ (*Ms Staley*) — and, after debate —

Business was interrupted at 4.00 pm under sessional orders.

17 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

18 **PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021** — Debate continued on question — That this House makes the suggested amendments — and on the amendment.

Business was interrupted at 7.00 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put and agreed to.

Debate continued on question — That this House makes the suggested amendments — and on the amendment.

Motion made and question — That the question be now put (*Mr Cheeseman*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES 24

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowsell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That the word proposed to be omitted stands part of the question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES 24

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Matthew Guy; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That this House makes the suggested amendments — put and agreed to.

Bill returned to the Legislative Council with a message informing them accordingly.

- 19 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.
- 20 **ADJOURNMENT** — After debate, the Deputy Speaker left the Chair at 7.37 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 137 — Thursday 2 December 2021

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SPECIAL INVESTIGATOR** — The Speaker advised that, on 1 December 2021, he administered to the Hon Geoffrey Arthur Akeroyd Nettle AC, QC, the Special Investigator, the oath required by s 20 of the *Special Investigator Act 2021*.
- 3 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Council Waste Management Services — Ordered to be published

Results of 2020–21 Audits: Local Government — Ordered to be published

Environment Protection Authority (EPA) — Report 2020–21

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had received the Reports 2020–21 of the:

Dhelkunya Dja Land Management Board

Gippsland Waste and Resource Recovery Group

Goulburn Valley Waste and Resource Recovery Group

Yorta Yorta Traditional Owner Land Management Board

Report from the Minister for Planning that he had received the Report 2020–21 of the Surveyors Registration Board of Victoria

Infrastructure Victoria Act 2015:

Government response under s 37

Victorian Infrastructure Plan 2021

Metropolitan Waste and Resource Recovery Group — Report 2020–21

Statutory Rule 144 under the *Supreme Court Act 1986*

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 150

Sustainability Victoria — Report 2020–21

Trust for Nature — Report 2020–21

Victoria State Emergency Service Authority (SES) — Report 2020–21

Victorian Environmental Assessment Council Act 2001 — Notice of request to the Victorian Environmental Assessment Council for an assessment of forest values in the Immediate Protection Areas in the Strathbogie Ranges and Mirboo North under s 26C

Victorian Inspectorate — Inspection Report 2019–20 on controlled operations records and reports under the *Crimes (Controlled Operations) Act 2004*, *Wildlife Act 1975* and *Fisheries Act 1995*

Victorian Plantations Corporation — Report 2020–21.

4 **STATEMENTS BY MEMBERS** — Members made statements.

5 **POSTPONEMENT OF NOTICE OF MOTION** — Ordered — That the consideration of Government Business, Notice of Motion, No 2 be postponed until later this day.

- 6 **LIVESTOCK MANAGEMENT AMENDMENT (ANIMAL ACTIVISM) BILL 2021** — Ms Thomas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Thomas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 16 December 2021.

- 7 **WORKPLACE SAFETY LEGISLATION AND OTHER MATTERS AMENDMENT BILL 2021** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 16 December 2021.

- 8 **MAJOR EVENTS LEGISLATION AMENDMENT (UNAUTHORISED TICKET PACKAGES AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under standing orders.

- 9 **QUESTION TIME** — (Under Sessional Order 9).

- 10 **MAJOR EVENTS LEGISLATION AMENDMENT (UNAUTHORISED TICKET PACKAGES AND OTHER MATTERS) BILL 2021** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL — JOINT SITTING** — Proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to:

- (1) choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon Scott Ryan; and
- (2) choose a person to hold the seat in the Council rendered vacant by the resignation of the Hon Edward O'Donohue —

and that the place and time of such meeting be the Legislative Assembly Chamber today at 4.45 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting today at 4.45 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to:

- (1) choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon Scott Ryan; and
- (2) choose a person to hold the seat in the Council rendered vacant by the resignation of the Hon Edward O'Donohue —

(*Ms Allan*) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them accordingly.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021 with amendments.

Ordered — That the amendments be taken into consideration later this day.

13 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 8 February 2022 (*Ms Allan*) — put and agreed to.

14 **PANDEMIC DECLARATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — Motion made, by leave in an amended form, and question — That contingent upon the coming into operation of the *Public Health and Wellbeing Amendment (Pandemic Management) Act 2021* and the making of a pandemic declaration in relation to SARS-CoV-2, Mr Carbines, Ms Kealy, Ms Sheed, Ms Ward and Mr Wells be members of the Pandemic Declaration Accountability and Oversight Committee (*Ms Allan*) — put and agreed to.

15 **PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021** — Order read for the consideration of the amendments made by the Legislative Council.

The Speaker advised that, following examination, he is of the opinion that amendment No 50 is a direct infringement of the privileges of the House in that it seeks to force an appropriation

from the Consolidated Fund, a matter that under the *Constitution Act 1975* must originate in the Legislative Assembly.

Motion made and question — That:

- (1) The Legislative Assembly endorses the Speaker’s statement regarding the constitutional questions raised by the message from the Legislative Council in relation to the Public Health and Wellbeing (Pandemic Management) Bill 2021;
- (2) The Assembly, having regard to the fact that the public interest demands the early enactment of the legislation, refrains from the determinations of its constitutional rights in relation to the Council message; and
- (3) The amendments be agreed to:
 1. Clause 4, page 4, after line 21 insert—

“public authority has the same meaning as it has in the Charter of Human Rights and Responsibilities;”.
 2. Clause 4, page 4, lines 22 to 24, omit all words and expressions on these lines.
 3. Clause 12, page 8, lines 19 to 25, omit all words and expressions on these lines and insert—

“(2) The Parliament—

 - (a) recognises the importance of protecting human rights in managing the serious risk to life, public health and wellbeing presented by the outbreak or spread of pandemics and diseases of pandemic potential; and
 - (b) intends that nothing in this Part displaces the operation of the Charter of Human Rights and Responsibilities; and
 - (c) intends that the Charter of Human Rights and Responsibilities therefore applies to the following—
 - (i) the interpretation of this Part and subordinate instruments made under this Part;
 - (ii) acts done, and decisions made, under this Part by public authorities.”.
 4. Clause 12, page 8, line 31, after “satisfied” insert “on reasonable grounds”.
 5. Clause 12, page 9, line 17, after “satisfied” insert “on reasonable grounds”.

6. Clause 12, page 9, line 24, after “satisfied” insert “on reasonable grounds”.
7. Clause 12, page 11, line 14, after “satisfied” insert “on reasonable grounds”.
8. Clause 12, page 11, line 34, after “satisfied” insert “on reasonable grounds”.
9. Clause 12, page 12, line 27, after “satisfied” insert “on reasonable grounds”.
10. Clause 12, page 12, line 34, after “satisfied” insert “on reasonable grounds”.
11. Clause 12, page 16, lines 9 to 12, omit all words and expressions on these lines.
12. Clause 12, page 19, line 2, after “following” insert “, if such application, differentiation or variation is relevant to the serious risk to public health posed by the disease specified in the pandemic declaration to which the pandemic order relates”.
13. Clause 12, page 19, after line 12 insert—

“Examples

A pandemic order might—

- (a) differentiate between persons or classes of person on the basis of their vaccination status in relation to a pandemic disease or a disease of pandemic potential, by restricting persons who are unvaccinated from engaging in specified activities unless they are exempt from vaccination;
- (b) differentiate between persons or classes of person on the basis of age, if age is relevant to the risks to health posed by a pandemic disease or a disease of pandemic potential. For example, a pandemic order might limit the ability of persons or classes of person to receive visitors at, or to move within, residential care facilities.

Note

The Minister may only make a pandemic order that the Minister believes is reasonably necessary to protect public health—see section 165AI.

Further, the Charter of Human Rights and Responsibilities applies to subordinate instruments under this Part. Section 165AP(2)(c) and (d) have the effect that when the Minister makes, varies or extends a pandemic order that applies to, differentiates between or varies in its application to persons or classes of person identified by reference to a matter specified in this subsection, the Minister must publish an explanation of whether, in the Minister’s opinion, the order does, or does not, limit any human right set out in the Charter of Human Rights and Responsibilities, and an explanation of any limitations identified.”.

14. Clause 12, page 19, lines 13 to 23, omit all words and expressions on these lines.
15. Clause 12, page 24, line 6, omit “14” and insert “7”.
16. Clause 12, page 24, lines 20 to 31, omit all words and expressions on these lines and insert—

-
- “(c) in the case of the making, variation, or extension of the order, a statement as to whether, in the opinion of the Minister, the order does or does not limit any human right set out in the Charter of Human Rights and Responsibilities; and
- (d) if, in the opinion of the Minister, the order as made, varied or extended does limit a human right set out in the Charter of Human Rights and Responsibilities, an explanation of—
- (i) the nature of the human right limited; and
 - (ii) the importance of the purpose of the limitation; and
 - (iii) the nature and extent of the limitation; and
 - (iv) the relationship between the limitation and its purpose; and
 - (v) any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve.”.
17. Clause 12, page 25, line 26, omit “14” and insert “7”.
18. Clause 12, page 26, line 3, omit “6” and insert “4”.
19. Clause 12, page 26, line 23, omit “Scrutiny of Acts and Regulations” and insert “Pandemic Declaration Accountability and Oversight”.
20. Clause 12, page 26, lines 24 and 25, omit “under section 165AS” and insert “(see section 165AU(1)(b))”.
21. Clause 12, page 27, lines 9 to 12, omit “Scrutiny of Acts and Regulations Committee may report to each House of Parliament if the Scrutiny of Acts and Regulations Committee” and insert “Pandemic Declaration Accountability and Oversight Committee may report to each House of Parliament if the Pandemic Declaration Accountability and Oversight Committee”.
22. Clause 12, page 27, lines 15 and 16, omit “laid before Parliament under section 165AQ(1)(a)”.
23. Clause 12, page 28, lines 1 to 4, omit “A report of the Scrutiny of Acts and Regulations Committee under this section may contain such recommendations as the Committee” and insert “Subject to subsection (3), a report of the Pandemic Declaration Accountability and Oversight Committee under this section may contain such recommendations as the Pandemic Declaration Accountability and Oversight Committee”.
24. Clause 12, page 28, after line 9 insert—

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- “(3) The Pandemic Declaration Accountability and Oversight Committee must not recommend that a pandemic order, or an instrument that extends, varies or revokes a pandemic order, should be disallowed in whole or in part unless the Pandemic Declaration Accountability and Oversight Committee has first requested and considered the advice of the Independent Pandemic Management Advisory Committee in relation to the pandemic order concerned.”.
25. Clause 12, page 28, line 12, omit “Scrutiny of Acts and Regulations” and insert “Pandemic Declaration Accountability and Oversight”.
26. Clause 12, page 28, line 30, omit “Scrutiny of Acts and Regulations” and insert “Pandemic Declaration Accountability and Oversight”.
27. Clause 12, page 29, line 1, omit “Scrutiny of Acts and Regulations” and insert “Pandemic Declaration Accountability and Oversight”.
28. Clause 12, page 29, line 7, omit “Scrutiny of Acts and Regulations” and insert “Pandemic Declaration Accountability and Oversight”.
29. Clause 12, page 29, lines 36 and 37, omit “Scrutiny of Acts and Regulations” and insert “Pandemic Declaration Accountability and Oversight”.
30. Clause 12, page 30, line 16, omit “Scrutiny of Acts and Regulations” and insert “Pandemic Declaration Accountability and Oversight”.
31. Clause 12, page 30, lines 21 and 22, omit “Scrutiny of Acts and Regulations” and insert “Pandemic Declaration Accountability and Oversight”.
32. Clause 12, page 31, lines 17 to 20, omit “each House on or before the 12th sitting day of each House after the giving of the notice of the resolution” and insert “a joint sitting of the Legislative Assembly and the Legislative Council held in accordance with subsection (6) and held before the end of the period of 3 months after the giving of the notice of the resolution”.
33. Clause 12, page 32, after line 5 insert—
- “(6) At a joint sitting of the Legislative Assembly and the Legislative Council for the purposes of subsection (2)(b)—
- (a) the members have the same privileges and immunities as the members of the Legislative Assembly in relation to proceedings before that House; and
- (b) a question is to be decided by an absolute majority of the total number of the members of the Legislative Assembly and the Legislative Council; and

(c) in the event of an equality of votes on a question, the question is to be taken to have been determined in the negative.”.

34. Clause 12, page 35, line 32, omit “with”.
35. Clause 12, page 49, line 1, omit “6” and insert “6A”.
36. Clause 12, page 49, line 11, omit “120” and insert “60”.
37. Clause 12, page 49, line 13, omit “600” and insert “300”.
38. Clause 12, page 49, lines 17 to 32 and page 50, lines 1 to 26, omit all words and expressions on these lines.
39. Clause 12, page 50, lines 27 to 35 and page 51, lines 1 to 26, omit all words and expressions on these lines.
40. Clause 12, page 51, lines 27 to 34, and page 52, lines 1 and 2, omit all words and expressions on these lines.
41. Clause 12, page 64, line 13, omit “6” and insert “4”.
42. Clause 12, page 74, line 31, omit “**Review**” and insert “**Independent review**”.
43. Clause 12, page 74, line 32, omit “a review” and insert “an independent review”.
44. Clause 12, page 75, line 1, before “review” insert “independent”.
45. Clause 12, page 75, line 2, omit “2 years” and insert “18 months”.
46. Clause 12, page 75, after line 3 insert—

“(2A) For the purposes of this section, an *independent review* means a review by persons who—

- (a) in the opinion of the Minister, possess appropriate qualifications or expertise to undertake the review; and
- (b) collectively, have qualifications or expertise in public health and law; and
- (c) include one or more persons who are not employed by the State of Victoria or a State agency and have not, since the commencement of this Part, provided services to the State of Victoria or a State agency under or in connection with a contract.

(2B) In this section—

State agency means the following—

- (a) the Crown in right of Victoria;
- (b) a Minister of the Crown in right of Victoria;
- (c) a public service body within the meaning of the **Public Administration Act 2004**;
- (d) an instrumentality of the State of Victoria, including a body corporate established for a public purpose by or under a law of the State of Victoria;
- (e) a company in which a controlling interest is held by any one of the following persons, or by 2 or more of the following persons together—
 - (i) the Crown in right of Victoria;
 - (ii) a person or body covered by paragraph (b) or (d)."

47. Clause 12, page 75, line 5, before “review” insert “independent”.

48. Clause 16, omit this clause.

49. Page 82, after line 19 insert the following heading—

“Part 2A—Establishment of the Pandemic Declaration Accountability and Oversight Committee”.

NEW CLAUSES

50. Insert the following New Clauses to follow clause 19 and the heading proposed by amendment 79—

‘19A Definitions

In section 3 of the **Parliamentary Committees Act 2003** insert the following definitions—

“Independent Pandemic Management Advisory Committee has the same meaning as it has in the **Public Health and Wellbeing Act 2008**;

pandemic declaration has the same meaning as it has in the **Public Health and Wellbeing Act 2008**;

political party has the same meaning as it has in the **Electoral Act 2002**.”.

19B Establishment of Joint House Committees

After section 5(h) of the **Parliamentary Committees Act 2003** insert—

“(i) the Pandemic Declaration Accountability and Oversight Committee;”.

19C New section 14A inserted

After section 14 of the **Parliamentary Committees Act 2003** insert—

“15 Pandemic Declaration Accountability and Oversight Committee

The function of the Pandemic Declaration Accountability and Oversight Committee is the function conferred on it by Division 4 of Part 8A of the **Public Health and Wellbeing Act 2008** in relation to scrutiny and disallowance of pandemic orders and instruments that extend, vary or revoke pandemic orders.

Note

The Pandemic Declaration Accountability and Oversight Committee may refer a matter to the Ombudsman under section 16(1) of the **Ombudsman Act 1973**.”.

19D Membership of Joint Investigatory Committees

In section 21(2) of the **Parliamentary Committees Act 2003**, for “As” substitute “Subject to section 21A, as”.

19E New section 21A inserted

After section 21 of the **Parliamentary Committees Act 2003** insert—

“21A Membership of Pandemic Declaration Accountability and Oversight Committee

- (1) This section provides for special rules relating to the Pandemic Declaration Accountability and Oversight Committee.
- (2) The members of the Pandemic Declaration Accountability and Oversight Committee must be appointed as soon as practicable after the making of a pandemic declaration.
- (3) The appointments of members of the Pandemic Declaration Accountability and Oversight Committee must be revoked as soon as practicable after the ceasing in force of the pandemic declaration in relation to which they were appointed.

- (4) Subject to this Act, the members of the Pandemic Declaration Accountability and Oversight Committee must be appointed, and their appointments revoked, according to the practice of Parliament relating to the appointment and revocation of appointment of members to joint select committees.
- (5) Not more than half of the members of the Pandemic Declaration Accountability and Oversight Committee may be members of a political party forming the Government.”.

19F Election of chairperson and deputy chairperson

After section 22(1) of the **Parliamentary Committees Act 2003** insert—

“(1A) The chairperson of the Pandemic Declaration Accountability and Oversight Committee must not be a member of a political party forming the Government.”.

19G Sittings

(1) In section 25(5) of the **Parliamentary Committees Act 2003**, for “A” **substitute** “Subject to subsection (6), a”.

(2) After section 25(5) of the **Parliamentary Committees Act 2003** **insert—**

“(6) Subsection (5)(a) does not apply to the Pandemic Declaration Accountability and Oversight Committee, and a member of that Committee participating in a meeting of that Committee by audio link or audio visual link—

(a) is present for the purposes of determining whether there is a quorum; and

(b) may vote on a question arising at the meeting.”’.

51. Clause 31, omit this clause.

52. Clause 35, line 6, omit “being”.

53. Clause 35, line 12, omit “being”.

(Mr Foley) — and after debate —

[Business was interrupted at 4.45 pm for a joint sitting and resumed at 4.54 pm]

Debate continued on question — That:

- (1) The Legislative Assembly endorses the Speaker's statement regarding the constitutional questions raised by the message from the Legislative Council in relation to the Public Health and Wellbeing (Pandemic Management) Bill 2021;
- (2) The Assembly, having regard to the fact that the public interest demands the early enactment of the legislation, refrains from the determinations of its constitutional rights in relation to the Council message; and
- (3) The amendments be agreed to.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 30 November 2021 had expired.

- 16 **DOMESTIC ANIMALS AMENDMENT (REUNITING PETS AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **SERVICE VICTORIA AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **MAJOR EVENTS LEGISLATION AMENDMENT (UNAUTHORISED TICKET PACKAGES AND OTHER MATTERS) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

Motion made and question — That the sitting be continued (*Mr Foley*) — put and agreed to.

- 19 **PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021** — Debate continued on question — That:

- (1) The Legislative Assembly endorses the Speaker's statement regarding the constitutional questions raised by the message from the Legislative Council in relation to the Public Health and Wellbeing (Pandemic Management) Bill 2021;

(2) The Assembly, having regard to the fact that the public interest demands the early enactment of the legislation, refrains from the determinations of its constitutional rights in relation to the Council message; and

(3) The amendments be agreed to —

Amendment proposed — That in paragraph (3) the words ‘agreed to’ be omitted and replaced with the words ‘deferred indefinitely’ (*Ms Staley*).

Amendment No 32 — Amendment proposed:

Omit ‘a joint sitting of the Legislative Assembly and the Legislative Council held in accordance with subsection (6) and held before the end of the period of 3 months after the giving of the notice of the resolution’ and insert ‘either House on or before the 12th sitting day of that House after the giving of the notice of the resolution’.

Amendment No 36 — Amendment proposed:

Omit ‘60’ and insert ‘1’.

Amendment No 37 — Amendment proposed:

Omit ‘300’ and insert ‘1’.

Amendment No 50 — Amendment proposed:

In proposed New Clause 19E, paragraphs (2) and (3), omit all words and expressions on these lines and insert —

‘(2) The members of the Pandemic Declaration Accountability and Oversight Committee must be appointed as soon as practicable after the start of each Parliament.

(3) The members of the Pandemic Declaration Accountability and Oversight Committee are only required to meet, and fulfill the Committee’s functions as set out in section 15, whilst a pandemic declaration is made and continues to remain in force.’

(*Ms Staley*) — and, after debate —

Question — That the words proposed to be omitted from paragraph (3) stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES 20

Brad Battin; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bridget Vallence; Peter Walsh.

Question agreed to.

Question — That amendment Nos 1 to 23 inclusive be agreed to — put and agreed to.

Question — That amendment No 24 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES 20

Brad Battin; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bridget Vallence; Peter Walsh.

Question agreed to.

Question — That amendment Nos 25 to 31 inclusive be agreed to — put and agreed to.

Question — That the words proposed to be omitted from amendment No 32 stand part of the amendment — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES 20

Brad Battin; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bridget Vallence; Peter Walsh.

Question agreed to.

Question — That amendment No 32 be agreed to — put and agreed to.

Question — That amendment No 33 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Dustin Halse; Paul Hamer; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Gabrielle Williams; Richard Wynne.

NOES 20

Brad Battin; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Emma Kealy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bridget Vallence; Peter Walsh.

Question agreed to.

Question — That amendment Nos 34 and 35 be agreed to — put and agreed to.

Question — That the word proposed to be omitted from amendment No 36 stands part of the amendment — put and agreed to.

Question — That amendment No 36 be agreed to — put and agreed to.

Question — That the word proposed to be omitted from amendment No 37 stands part of the amendment — put and agreed to.

Question — That amendment No 37 be agreed to — put and agreed to.

Question — That amendment Nos 38 to 49 inclusive be agreed to — put and agreed to.

Question — That the words proposed to be omitted from amendment No 50 stand part of the amendment — put and agreed to.

Question — That amendment No 50 be agreed to — put and agreed to.

Question — That amendment Nos 51 to 53 inclusive be agreed to — put and agreed to.

Original question — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

20 **JOINT SITTING** — The Speaker reported that the House met today with the Legislative Council for the purpose of:

- (1) choosing a person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon Scott Ryan and that Greg Mirabella was duly chosen to hold the vacant place; and
- (2) choosing a person to hold the seat in the Council rendered vacant by the resignation of the Hon Edward O'Donohue and that Cathrine Burnett-Wake was duly chosen to hold the vacant seat.

21 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.

22 **ADJOURNMENT** — After debate, the Speaker left the Chair at 7.40 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 138, 139, 140 and 141

No 138 — Tuesday 8 February 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE ROBERT (ROBIN) COOPER** — Motion made and question — That this House expresses its sincere sorrow at the death of the Hon Robert (Robin) Cooper and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the District of Mornington from 1985 to 2006 and Minister for Transport from 1997 to 1999 (*Mr Andrews*) — members addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Hon Robert (Robin) Cooper, the House now adjourns until 1.45 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 12.43 pm, adjourned until 1.45 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 139 — Tuesday 8 February 2022

(1.45 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2022** — Mr Foley introduced ‘*A Bill for an Act to amend the **Public Health and Wellbeing Act 2008** and the **Livestock Disease Control Act 1994** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **ALPINE RESORTS LEGISLATION AMENDMENT BILL 2022** — Ms Allan introduced ‘*A Bill for an Act to amend the **Alpine Resorts (Management) Act 1997** to repeal the establishment of the Alpine Resort Management Boards and the Alpine Resorts Co-ordinating Council by that Act, to establish Alpine Resorts Victoria, to make consequential and related amendments to that*

Act and other Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

4 **ACTING SPEAKERS** — The Speaker tabled the following warrant:

PANEL OF ACTING SPEAKERS

Under Standing Order 20, I:

- (1) appoint Tim McCurdy, David Morris and Gary Blackwood to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker;
- (2) discharge Anthony Carbines from the panel of Acting Speakers.

This warrant amends the previous warrants of 5, 6 and 19 February 2019 and 3 March, 23 April, 3 September and 27 October 2020.

Colin Brooks MP
SPEAKER
8 February 2022.

5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Realign Coal Creek bends at Korumburra — Requesting that the Legislative Assembly calls on the Government to commence works on the realignment of the Coal Creek bends at Korumburra, bearing 1 signature (*Mr O'Brien, Gippsland South*)

Sky rail at Parkdale — Requesting that the Legislative Assembly calls on the Government to stop work on the proposed sky rail at Parkdale, conduct community consultation and place level crossings at Warrigal Road, Mentone and Parkdale Railway Station underground, bearing 2873 signatures (*Mr Rowsell*).

Petitions ordered to be tabled.

6 **DOCUMENTS**

NORTH EAST LINK — PRIMARY PACKAGE (TUNNELS) — Project Summary tabled by leave (*Ms Allan*).

STANDING ORDERS COMMITTEE — Ms Edwards tabled a report from the Standing Orders Committee on procedures for joint sittings under section 165AU of the *Public Health and Wellbeing Act 2008*, together with appendices.

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Theophanous, Chair, tabled the Alert Digest No 1 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Casino and Gambling Legislation Amendment Act 2021

Equal Opportunity (Religious Exceptions) Amendment Act 2021

Health Legislation Amendment (Quality and Safety) Bill 2021

Livestock Management Amendment (Animal Activism) Bill 2021

Regulatory Legislation Amendment (Reform) Bill 2021

Sex Work Decriminalisation Bill 2021

Windfall Gains Tax and State Taxation and Other Acts Further Amendment Act 2021

Workplace Safety Legislation and Other Matters Amendment Bill 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Flagstaff Gardens Reserve

Essential Services Commission — Inquiry into the Port of Melbourne compliance with the pricing order

Financial Management Act 1994 — Budget Update 2021–22

Independent Broad-based Anti-corruption Commission:

Annual Plan 2021–22

Operation Dawson: An investigation into alleged misconduct by a former Victoria Police Superintendent — Ordered to be published

Integrity and Oversight Committee — Report on the appointment of a person to conduct the independent performance audits of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate, together with appendices — Ordered to be published

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Statutory Rule 116 (*Gazette S675, 30 November 2021*)

Statutory Rule 159 (*Gazette S3, 6 January 2022*)

Major Events Act 2009 — Major Sporting Event Orders for the:

Australian Open Tennis Tournaments 2022 to 2026 (*Gazette S732, 21 December 2021*)

Melbourne Marathon Festivals 2021 to 2023 (*Gazette S691, 7 December 2021*)

Murray-Darling Basin Authority — Report 2020–21

Ombudsman — Investigation into decision-making under the *Victorian Border Crossing Permit Directions* — Ordered to be published

Planning and Environment Act 1987:

Notices of approval of amendments to the following Planning Schemes:

Bayside — C175

Boroondara — C341, C369, C370

Campaspe — GC196

Corangamite — C51

Darebin — C206

East Gippsland — C163

Gannawarra — GC196

Glen Eira — C229, C232, C236

Greater Bendigo — GC196

Greater Geelong — C440

Greater Shepparton — GC196

Hume — C259, C260, C264

Loddon — GC196

Maribyrnong — C173

Maroondah — C130

Melbourne — C323, C390, C408, C419, C423

Moira — GC196

Moonee Valley — C200, C207

Moreland — C179

Mornington Peninsula — C242, C287

Port Phillip — C161 Part 2, C182

Stonnington — C313

Swan Hill — GC196

Victoria Planning Provisions — VC174, VC199, VC204, VC205, VC207

Whittlesea — C241, C258, C262, C263

Yarra — C299

Yarra Ranges — C203

Report 2020–21 on Infrastructure Contributions and Development Contribution Levies

Project Development and Construction Management Act 1994 — Documents under s 9 in relation to the Fishermans Bend Innovation Precinct Access Project (three documents)

Public Health and Wellbeing Act 2008:

Report to Parliament on the making of a pandemic declaration

Report to Parliament on the extension of a pandemic declaration

Road Safety Act 1986 — Documents in relation to the Order in Council to Amend the Order in Council Declaring Certain Motor Vehicles Not to Be Motor Vehicles — Electric Scooter Trial

Statutory Rules under the following Acts:

Commercial Tenancy Relief Scheme Act 2021 — SR 4
Conservation, Forests and Lands Act 1987 — SR 162/2021
County Court Act 1958 — SR 158/2021
Crown Proceedings Act 1958 — SR 152/2021
Drugs, Poisons and Controlled Substances Act 1981 — SR 174/2021
Education and Training Reform Act 2006 — SR 160/2021
Essential Services Commission Act 2001 — SR 145/2021
First Home Owner Grant and Home Buyer Schemes Act 2000 — SR 176/2021
Fisheries Act 1995 — SRs 161, 163/2021
Gender Equality Act 2020 — SR 177/2021
Health Practitioner Regulation National Law (Victoria) Act 2009 — SR 157/2021
Livestock Management Act 2010 — SR 159/2021
Magistrates' Court Act 1989 — SRs 167, 168/2021, 5
Major Transport Projects Facilitation Act 2009 — SR 150/2021
Non-Emergency Patient Transport and First Aid Services Act 2003 — SRs 148, 149/2021
Occupational Health and Safety Act 2004 — SR 1
Offshore Petroleum and Greenhouse Gas Storage Act 2010 — SR 155/2021
Owners Corporations Act 2006 — SR 147/2021
Public Health and Wellbeing Act 2008 — SRs 156, 165, 175/2021
Sentencing Act 1991 — SR 170/2021
Service Victoria Act 2018 — SR 154/2021
Spent Convictions Act 2021 — SR 146/2021
Subordinate Legislation Act 1994 — SR 173/2021, 3
Surveillance Devices Act 1999 — SR 169/2021
Transport Accident Act 1986 — SR 166/2021
Transport (Compliance and Miscellaneous) Act 1983 — SR 2
Victims of Crime Assistance Act 1996 — SR 151/2021
Victorian Energy Efficiency Target Act 2007 — SRs 153, 171/2021
Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 — SR 164/2021
Wildlife Act 1975 — SR 172/2021

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 142, 143, 146, 147, 148, 149, 152, 153, 155, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 172, 173, 174, 176/2021, 1, 2, 5

Documents under s 16B in relation to the:

Environment Protection Act 2017:

EPA Class Exemption — Exemption from requirement to provide a certificate of conformity for sand filter treatment plants

EPA Designation — Classification of PFAS-impacted soil

EPA Determination — Specifications acceptable to the Authority for receiving processed organics

Food Act 1984 — Classes of food premises and requirements — Variation to declaration and exemptions

Service Victoria Act 2018 — Service Victoria Identity Verification Standards

Victorian Equal Opportunity and Human Rights Commission — Report 2020 on the operation of the Charter of Human Rights and Responsibilities — Ordered to be published

Victorian Inspectorate — Inspection Report February 2021 under the *Terrorism (Community Protection) Act 2003*

Victorian Rail Track (VicTrack) — Report 2020–21 (replacement for the copy tabled on Thursday 28 October 2021).

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Assisted Reproductive Treatment Amendment Act 2021 — Section 19 — 21 December 2021 (*Gazette S693, 7 December 2021*)

Casino and Gambling Legislation Amendment Act 2021 — Whole Act — 1 January 2022 (*Gazette S733, 21 December 2021*)

Education and Training Reform Amendment (Senior Secondary Pathways Reforms and Other Matters) Act 2021 — Parts 1 and 4 — 24 December 2021 (*Gazette S717, 14 December 2021*)

Energy Legislation Amendment (Energy Fairness) Act 2021 — Division 1 of Part 2 and Division 1 of Part 3 — 31 December 2021 (*Gazette S717, 14 December 2021*)

Liquor Control Reform Amendment Act 2021 — Part 1, ss 4(2), 4(3), 4(5), 11(5), 18, 19(1), 20, 25, 29, 30, 31, 32, 33, 34, 35, 36, 38, 43, 53, 54, 55, 57, 58, 59, 60 and Part 4 — 16 December 2021; ss 46(2), 47 (except paragraph (a)), 48 and 49 — 31 January 2022 (*Gazette S693, 7 December 2021*)

Public Health and Wellbeing Amendment (Pandemic Management) Act 2021 — Division 2 of Part 5 — 8 December 2021 (*Gazette S693, 7 December 2021*)

Water and Catchment Legislation Amendment Act 2021 — Part 1, Division 3 of Part 2, Division 2 and 3 of Part 4, Part 5, Part 6, Division 2, 3 and 4 of Part 7 and Part 8 — 1 January 2022 (*Gazette S717, 14 December 2021*).

7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Casino and Gambling Legislation Amendment Bill 2021

Circular Economy (Waste Reduction and Recycling) Bill 2021

Equal Opportunity (Religious Exceptions) Amendment Bill 2021.

8 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 7 December 2021

Public Health and Wellbeing Amendment (Pandemic Management) Bill 2021

On 14 December 2021

Casino and Gambling Legislation Amendment Bill 2021

Circular Economy (Waste Reduction and Recycling) Bill 2021

Equal Opportunity (Religious Exceptions) Amendment Bill 2021.

- 9 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Health Legislation Amendment (Quality and Safety) Bill 2021

Livestock Management Amendment (Animal Activism) Bill 2021

Regulatory Legislation Amendment (Reform) Bill 2021

Workplace Safety Legislation and Other Matters Amendment Bill 2021.

- 10 **PANDEMIC DECLARATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — The Speaker announced that he had received the resignation of Mr Carbines from the Pandemic Declaration Accountability and Oversight Committee, effective from today.

- 11 **PANDEMIC DECLARATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — Motion made, by leave, and question — That Mr Bull (*Sunbury*) be a member of the Pandemic Declaration Accountability and Oversight Committee (*Ms Allan*) — put and agreed to.

- 12 **SESSIONAL AND JOINT SESSIONAL ORDERS** — Motion made, by leave, and question — That, as recommended by the Standing Orders Committee's Report on procedures for joint sittings under s 165AU of the *Public Health and Wellbeing Act 2008*, this House:

- (1) adopts new Sessional Order 18 as detailed in Appendix A of the report, to come into effect immediately;
- (2) adopts the Joint Sessional Order detailed in Appendix B of the report, to come into effect immediately on the agreement of the Legislative Council; and
- (3) sends a message to the Council requesting their agreement to the Joint Sessional Order (*Ms Allan*) — put and agreed to.

Business was interrupted at 2.00 pm under sessional orders.

- 13 **QUESTION TIME** — (Under Sessional Order 9).

- 14 **PERFORMANCE AUDITS OF THE INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION AND VICTORIAN INSPECTORATE** — Motion made, by leave, and question — That:

- (1) Under s 170 of the *Independent Broad-based Anti-corruption Commission Act 2011*, Callida Pty Ltd ('Callida Consulting') be appointed:
 - (a) to conduct the performance audit of the Independent Broad-based Anti-corruption Commission;

- (b) in accordance with the agreement for the provision of services for the performance audits of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate; and
 - (c) at the following fixed-fee levels of remuneration:
 - (i) \$66,000, plus GST, upon acceptance of Callida Consulting's audit plan, representing 20 per cent of the total fee;
 - (ii) \$99,000, plus GST, upon acceptance of Callida Consulting's progress report, representing 30 per cent of the total fee; and
 - (iii) \$165,000, plus GST, upon acceptance of Callida Consulting's final draft report, representing 50 per cent of the total fee.
- (2) Under s 90D of the *Victorian Inspectorate Act 2011*, Callida Pty Ltd ('Callida Consulting') be appointed:
- (a) to conduct the performance audit of the Victorian Inspectorate;
 - (b) in accordance with the agreement for the provision of services for the performance audits of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate; and
 - (c) at the following fixed-fee levels of remuneration:
 - (i) \$21,600, plus GST, upon acceptance of Callida Consulting's audit plan, representing 20 per cent of the total fee;
 - (ii) \$32,400, plus GST, upon acceptance of Callida Consulting's progress report, representing 30 per cent of the total fee; and
 - (iii) \$54,000, plus GST, upon acceptance of Callida Consulting's final draft report, representing 50 per cent of the total fee.
- (3) A message be sent to the Legislative Council requesting their agreement

(Ms Allan) — put and agreed to.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 10 February 2022:

Health Legislation Amendment (Quality and Safety) Bill 2021
 Livestock Management Amendment (Animal Activism) Bill 2021
 Regulatory Legislation Amendment (Reform) Bill 2021

(Ms Allan) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Juliana Addison; Jacinta Allan; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 30

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

16 **STATEMENTS BY MEMBERS** — Members made statements.

17 **LIVESTOCK MANAGEMENT AMENDMENT (ANIMAL ACTIVISM) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Walsh announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.26 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 140 — Wednesday 9 February 2022

1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Great Forest National Park — Requesting that the Legislative Assembly reserves the Great Forest National Park for security of water supplies and conservation, phases out native forest logging, and invests in affected communities, bearing 70 signatures (*Mr Rowswell*).

Ordered to be tabled.

- 3 **PETITION — SKY RAIL AT PARKDALE** — Motion made and question — That the petition presented by the Member for Sandringham on 8 February 2022 be taken into consideration tomorrow (*Mr Rowswell*) — put and agreed to.

4 **DOCUMENTS**

ENVIRONMENT AND PLANNING STANDING COMMITTEE — Ms Connolly, Chair, tabled a report from the Environment and Planning Standing Committee on the Inquiry into environmental infrastructure for growing populations, together with an appendix and transcripts of evidence.

Report and appendix ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Border Groundwaters Agreement Review Committee — Report 2020–21

Climate Change Act 2017 — Climate Change Adaptation Action Plans 2022–26 in relation to:

Built Environment
 Education and Training
 Health and Human Services
 Natural Environment
 Primary Production
 Transport
 Water Cycle.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Racing Amendment Bill 2021 without amendment.
- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Bill 2021 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 7 **STATEMENTS BY MEMBERS** — Members made statements.

- 8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

9 **VACCINATION REQUIREMENTS** — Motion made and question — That in order to continue to protect the health and safety of members, parliamentary staff, electorate officers and community members, and reduce the risk of transmission of COVID-19, this House varies the resolution of the House on 14 October 2021 as follows:

(1) Omit paragraph (4) and insert:

‘(4) If any member does not meet the requirements set out in paragraph (3), the Clerk will as soon as practicable notify that member, the Speaker and the Serjeant-at-Arms.’

(2) In paragraph (5)(a) omit ‘the second sitting day of the 2022 parliamentary year’ and insert ‘12 May 2022’.

(3) After paragraph (5) insert:

‘(5A) If the Clerk or Serjeant-at-Arms observes a member who has been suspended under paragraph (5) attending the Chamber or the parliamentary precinct, they will immediately notify the Speaker.

(5B) If the Speaker receives a notification from the Clerk or Serjeant-at-Arms under paragraph (5A), or personally observes a member who has been suspended under paragraph (5) attending the Chamber or the parliamentary precinct, they will inform the House as soon as practicable.’

(Ms Allan) — and, after debate —

Motion made and question — That the question be now put *(Mr Cheeseman)* — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 50

Jacinta Allan; Daniel Andrews; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 27

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Original question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 52

Jacinta Allan; Daniel Andrews; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 25

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 10 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2022** — Mr Foley tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 23 February 2022.

- 11 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 12 **QUESTION TIME** — (Under Sessional Order 9).

- 13 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 4.00 pm under sessional orders.

- 14 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 15 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2021** — Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 141 — Thursday 10 February 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Family Violence Protection Act 2008 — Report 2020–21 on the implementation of the Family Violence Risk Assessment and Management Framework

Public Health and Wellbeing Act 2008:

Documents under s 165AQ on the making of pandemic orders implemented on 15 December 2021

Documents under s 165AQ on the variation of pandemic orders implemented on:

20 December 2021

23 December 2021

30 December 2021

6 January 2022

12 January 2022

25 January 2022

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 151/2021, 4, 6

Victorian Assisted Reproductive Treatment Authority (VARTA):

Report 2019–20

Report 2020–21 —

together with an explanation for the delay.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Education and Training Reform Amendment (Senior Secondary Pathways Reforms and Other Matters) Act 2021 — Part 2 — 11 February 2022; remaining provisions — 2 May 2022 (*Gazette S62, 8 February 2022*)

Liquor Control Reform Amendment Act 2021 — Sections 4(4) (except paragraph (a)), 8, 9, 10, 11(1), (2), (3) and (4), 12, 13, 15, 16, 17, 19(3) and (4), 39, 41 and 44 — 15 March 2022 (*Gazette S62, 8 February 2022*).

3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 22 February 2022 (*Ms Allan*) — put and agreed to.

4 **STATEMENTS BY MEMBERS** — Members made statements.

5 **ALPINE RESORTS LEGISLATION AMENDMENT BILL 2022** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Newbury*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 24 February 2022.

6 **REGULATORY LEGISLATION AMENDMENT (REFORM) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this House refuses to read this Bill a second time until the Government conducts further consultation on the impact on regional newspapers of ceasing to publish notices in print newspapers' (*Ms Sheed*) — and, after debate —

Business was interrupted at 2.00 pm under standing orders.

7 **QUESTION TIME** — (Under Sessional Order 9).

8 **REGULATORY LEGISLATION AMENDMENT (REFORM) BILL 2021** — Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Legislative Assembly’s resolution on 8 February 2022 appointing Callida Pty Ltd (‘Callida Consulting’) to undertake the performance audits of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate.
- 10 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 3 to 6 inclusive, be postponed until later this day.
- 11 **JUSTICE LEGISLATION AMENDMENT (CRIMINAL PROCEDURE DISCLOSURE AND OTHER MATTERS) BILL 2021** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 12 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2021–22 budget papers; after debate, put and agreed to.
- 13 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 February 2022 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **LIVESTOCK MANAGEMENT AMENDMENT (ANIMAL ACTIVISM) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 66

Jacinta Allan; Brad Battin; Chris Brayne; Roma Britnell; Josh Bull; Tim Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; David Hodgett; Melissa Horne; Natalie Hutchins; Emma Kealy; John Kennedy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; Cindy McLeish; David Morris; James Newbury; Russell Northe; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Richard Riordan; Brad Rowswell; Steph Ryan; Robin Scott; Michaela Settle; Suzanna Sheed; Ryan Smith; David Southwick; Ros Spence; Nick Staikos; Louise Staley; Natalie Suleyman; Meng Heang Tak; Jackson Taylor;

Kat Theophanous; Mary-Anne Thomas; Bridget Vallence; Nick Wakeling; Peter Walsh; Vicki Ward; Richard Wynne.

NOES 3

Sam Hibbins; Tim Read; Ellen Sandell.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **REGULATORY LEGISLATION AMENDMENT (REFORM) BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this House refuses to read this Bill a second time until the Government conducts further consultation on the impact on regional newspapers of ceasing to publish notices in print newspapers’.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Jacinta Allan; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 21

Brad Battin; Roma Britnell; Tim Bull; Ali Cupper; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Jacinta Allan; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 21

Brad Battin; Roma Britnell; Tim Bull; Ali Cupper; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.12 pm under sessional orders.

- 16 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.47 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 142, 143 and 144

No 142 — Tuesday 22 February 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **CONSERVATION, FORESTS AND LANDS AMENDMENT BILL 2022** — Ms D'Ambrosio introduced 'A Bill for an Act to amend the **Conservation, Forests and Lands Act 1987** in relation to Codes of Practice and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **JUSTICE LEGISLATION AMENDMENT (TRIAL BY JUDGE ALONE AND OTHER MATTERS) BILL 2022** — Ms Hutchins introduced 'A Bill for an Act to amend the **Criminal Procedure Act 2009** to provide temporary arrangements for trial by judge alone on an order made or applied for while a pandemic declaration is in force and to amend the **Children, Youth and Families Act 2005**, the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997**, the **Evidence (Miscellaneous Provisions) Act 1958**, the **Justice Legislation Amendment (Criminal Appeals) Act 2019** and the **Occupational Health and Safety Act 2004** and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Develop a new city of the west at East Werribee** — Requesting that the Legislative Assembly calls on the Government to develop and implement the recommendations from The West of Melbourne Economic Development Alliance report to establish a new city at East Werribee, bearing 296 signatures (*Ms Hennessy*)
 - 24-hour security guards at 351 Barkly Street, Brunswick** — Requesting that the Legislative Assembly authorises 24-hour security guards at 351 Barkly Street, Brunswick to ensure the ongoing safety and wellbeing of the housing residents and their neighbours, bearing 76 signatures (*Dr Read*).Petitions ordered to be tabled.
- 5 **PETITION — 24-HOUR SECURITY GUARDS AT 351 BARKLY STREET, BRUNSWICK** — Motion made and question — That the petition presented by the Member for Brunswick be taken into consideration tomorrow (*Dr Read*) — put and agreed to.

6 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Theophanous, Chair, tabled the Alert Digest No 2 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Alpine Resorts Legislation Amendment Bill 2022
 Public Health and Wellbeing Amendment Bill 2022
Public Health and Wellbeing Amendment (Pandemic Management) Act 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Financial Management Act 1994 — Report from the Minister for Energy, Environment and Climate Change that she had received the Report 2020–21 of the Caulfield Racecourse Reserve Trust

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C232
 Benalla — C42
 Frankston — C141
 Greater Dandenong — C235
 Greater Geelong — C399
 Hepburn — C80
 Loddon — C45
 Maribyrnong — C163
 Monash — C163 Part 1
 Moonee Valley — C194
 Nillumbik — C137
 Northern Grampians — C60
 Victoria Planning Provisions — VC200
 Wodonga — C135
 Wyndham — C258
 Yarra — C191

Public Health and Wellbeing Act 2008 — Documents under s 165AQ on the making of pandemic orders implemented on 4 February 2022

Statutory Rules under the following Acts:

Births, Deaths and Marriages Registration Act 1996 — SR 9
County Court Act 1958 — SR 10
Drugs, Poisons and Controlled Substances Act 1981 — SR 13

Education and Training Reform Act 2006 — SR 6
Occupational Health and Safety Act 2004 — SR 137/2021
Pollution of Waters by Oil and Noxious Substances Act 1986 — SR 7
Public Health and Wellbeing Act 2008 — SR 14
Relationships Act 2008 — SR 11
Road Safety Act 1986 — SRs 135, 136/2021
Severe Substance Dependence Treatment Act 2010 — SR 8
Subdivision Act 1988 — SR 134/2021
Subordinate Legislation Act 1994 — SR 12

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 3, 7, 8, 10, 13

Documents under s 16B in relation to:

Education and Training Reform Act 2006 — Ministerial Order No 1358 — Order amending Ministerial Order No 1125 — Procedures for Suspension and Expulsion of Students in Government Schools

Drugs, Poisons and Controlled Substances Act 1981 — Notice under s 35A(1)

Victorian Inspectorate — Report 1 January to 30 June 2021 under s 30Q of the *Surveillance Devices Act 1999*.

- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Sex Work Decriminalisation Bill 2021 with an amendment.

Ordered — That the amendment be taken into consideration immediately.

- 8 **SEX WORK DECRIMINALISATION BILL 2021** — Order read for the consideration of the amendment made by the Legislative Council.

The amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 15 February 2022, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Bill 2021
 Racing Amendment Bill 2021.

- 10 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Alpine Resorts Legislation Amendment Bill 2022
 Public Health and Wellbeing Amendment Bill 2022.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 24 February 2022:

Alpine Resorts Legislation Amendment Bill 2022
 Public Health and Wellbeing Amendment Bill 2022
 Workplace Safety Legislation and Other Matters Amendment Bill 2021

(Ms Allan) — after debate, put and agreed to.

- 12 **STATEMENTS BY MEMBERS** — Members made statements.

- 13 **WORKPLACE SAFETY LEGISLATION AND OTHER MATTERS AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 14 **QUESTION TIME** — (Under Sessional Order 9).

- 15 **WORKPLACE SAFETY LEGISLATION AND OTHER MATTERS AMENDMENT BILL 2021** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.29 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 143 — Wednesday 23 February 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF DENISE ALLEN** — The Speaker announced the death of Denise Allen, Member of the Legislative Assembly for the District of Benalla from 2000 to 2002; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Business Continuity During COVID-19 — Ordered to be published

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Flinders Foreshore Reserve.

- 4 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Bill 2021
Service Victoria Amendment Bill 2021.

- 5 **INTEGRITY AND OVERSIGHT COMMITTEE** — The Speaker announced that he had received the resignation of Ms Hennessy from the Integrity and Oversight Committee, effective from 22 February 2022.

- 6 **INTEGRITY AND OVERSIGHT COMMITTEE** — Motion made, by leave, and question — That Ms Ward be a member of the Integrity and Oversight Committee (*Ms Allan*) — put and agreed to.

- 7 **STATEMENTS BY MEMBERS** — Members made statements.

- 8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

- 9 **CONSERVATION, FORESTS AND LANDS AMENDMENT BILL 2022** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 9 March 2022.

- 10 **JUSTICE LEGISLATION AMENDMENT (TRIAL BY JUDGE ALONE AND OTHER MATTERS) BILL 2022** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Motion made and question — That the debate be adjourned for 13 days (*Ms Hutchins*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; Maree Edwards; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 28

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; Russell Northe; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallenge; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to. Debate adjourned until Tuesday 8 March 2022.

- 11 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Foley announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 12 **QUESTION TIME** — (Under Sessional Order 9).

- 13 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Dr Read announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 4.00 pm under sessional orders.

- 14 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT’S RECORD OF DELIVERING FOR REGIONAL VICTORIANS** — The Speaker read Ms Thomas’ proposal to the House —

‘That this House notes the Andrews Labor Government’s continued record of delivering for regional Victorians, especially in the areas of:

- (1) jobs;
- (2) roads and transport infrastructure;
- (3) tourism and major events;
- (4) education; and
- (5) health.’

Ms Thomas addressed the House — Discussion followed.

- 15 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.32 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 144 — Thursday 24 February 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS**

VICTORIAN GOVERNMENT REPORT 2021 — ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE — Tabled by leave (*Ms Hutchins*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Australian Children’s Education and Care Quality Authority — Report 2020–21

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Flinders Foreshore Reserve
 Order under ss 17B and 17D granting a licence and a lease over Old Springfield Cheese Factory Reserve

National Education and Care Services Freedom of Information and Privacy Commissioners and Ombudsman — Report 2020–21

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 156/2021, 17, 18, 19
 Documents under s 16B in relation to the *Gambling Regulation Act 2003* — Determination of Gaming Machine Entitlement Allocation and Transfer Rules.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Energy Legislation Amendment (Energy Fairness) Act 2021 — Remaining provisions — 1 March 2022 (*Gazette S87, 22 February 2022*)

Terrorism (Community Protection) Amendment Act 2021 — Sections 5(3), 8(1) (other than paragraph (b)), 9(2) (other than paragraph (b)), 9(3), 12, 13, 15(7), 15(8), 15(9), 15(10), 15(11), 17, 18(2) and 29 — 24 February 2022 (*Gazette S87, 22 February 2022*).

3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 8 March 2022 (*Ms Allan*) — put and agreed to.

4 **STATEMENTS BY MEMBERS** — Members made statements.

5 **ALPINE RESORTS LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under standing orders.

6 **QUESTION TIME** — (Under Sessional Order 9).

7 **ALPINE RESORTS LEGISLATION AMENDMENT BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

8 **WORKPLACE SAFETY LEGISLATION AND OTHER MATTERS AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 9 **PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 22 February 2022 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That Government amendment Nos 1 and 2 be agreed to and this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 10 **ALPINE RESORTS LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **WORKPLACE SAFETY LEGISLATION AND OTHER MATTERS AMENDMENT BILL 2021** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 12 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 145, 146 and 147

No 145 — Tuesday 8 March 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **VICTORIA POLICE AMENDMENT BILL 2022** — Ms Neville introduced ‘*A Bill for an Act to amend the **Victoria Police Act 2013** to address defects in relation to the appointment of police officers to act as Assistant Commissioners and for other purposes*’; and, after debate, the Bill was read a first time. In accordance with SO 61(3)(b), the House proceeded immediately to the second reading.

Ms Neville tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Battin*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 3 **PUFFING BILLY RAILWAY BILL 2022** — Mr Pakula introduced ‘*A Bill for an Act to establish the Puffing Billy Railway Board, to provide for the objectives, functions and powers of the Board, to provide for matters relating to the Puffing Billy Railway, to repeal the **Emerald Tourist Railway Act 1977** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **JUSTICE LEGISLATION AMENDMENT (FINES REFORM AND OTHER MATTERS) BILL 2022** — Ms Hutchins introduced ‘*A Bill for an Act to amend the **Fines Reform Act 2014**, the **Infringements Act 2006**, the **Magistrates’ Court Act 1989**, the **Road Safety Act 1986**, the **Sentencing Act 1991**, the **Sheriff Act 2009**, the **EastLink Project Act 2004**, the **Melbourne City Link Act 1995**, the **North East Link Act 2020**, the **West Gate Tunnel (Truck Bans and Traffic Management) Act 2019**, the **Taxation Administration Act 1997** and the **Transfer of Land Act 1958** and other Acts and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT BILL 2022** — Ms Horne introduced ‘A Bill for an Act to amend the *Casino Control Act 1991*, the *Gambling Regulation Act 2003* and the *Liquor Control Reform Act 1998* and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

South Gippsland Highway intersection in Leongatha — Requesting that the Legislative Assembly calls on the Government to fund design and construction of stage two of the Leongatha Heavy Vehicle Alternative Route as soon as possible, bearing 503 signatures (*Mr O’Brien, Gippsland South*).

Former Beaufort Primary School site (two petitions) — Requesting that the Legislative Assembly calls on the Government to transfer ownership of the former Beaufort Primary School site to the Pyrenees Shire Council and the community, and provide funding to repurpose the building and surrounds as a community hub, bearing 508 and 1775 signatures respectively (*Ms Staley*).

Petitions ordered to be tabled.

7 **PETITION — SOUTH GIPPSLAND HIGHWAY INTERSECTION IN LEONGATHA** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O’Brien, Gippsland South*) — put and agreed to.

8 **PETITION — FORMER BEAUFORT PRIMARY SCHOOL SITE (508 SIGNATURES)** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

9 **PETITION — FORMER BEAUFORT PRIMARY SCHOOL SITE (1775 SIGNATURES)** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

10 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Theophanous, Chair, tabled the Alert Digest No 3 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Conservation, Forests and Lands Amendment Bill 2022

Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022

Justice Legislation Amendment (Trial by Judge Alone and Other Matters) Bill 2022

Road Safety Amendment (Hoon Events) Bill 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Albert Park

Financial Management Act 1994 — Report from the Minister for Energy, Environment and Climate Change that she had received the Report 2020–21 of the Gunaikurnai Traditional Owner Land Management Board

Gambling Regulation Act 2003 — Keno licences and related agreements issued to:

Keno (VIC) Pty Ltd
Lottoland Australia Pty Ltd

Parliamentary Committees Act 2003 — Government responses to the Public Accounts and Estimates Committee's reports on the:

2021–22 Budget Estimates
Inquiry into the Parliamentary Budget Officer

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C225
Benalla — C41
Boroondara — C353 Part 1
Cardinia — C240
Corangamite — C55
Darebin — C200
Gannawarra — C46
Greater Dandenong — C211
Greater Shepparton — C210, C238
Hobsons Bay — C131
Kingston — C197
Latrobe — C135
Mansfield — C47
Melbourne — C356
Moirā — C95
Mornington Peninsula — C263, C281
Nillumbik — C129
Queenscliffe — C38
South Gippsland — C127
Stonnington — C315
Strathbogie — C84
Whittlesea — C226
Wodonga — C134, C136

Public Health and Wellbeing Act 2008 — Documents under s 165AQ on the making of pandemic orders implemented on:

11 and 13 February 2022
18 and 20 February 2022

Statutory Rules under the following Acts:

Bus Safety Act 2009 — SR 17
Drugs, Poisons and Controlled Substances Act 1981 — SR 16
Guardianship and Administration Act 2019 — SR 15
Road Safety Act 1986 — SR 19
Transport (Safety Schemes Compliance and Enforcement) Act 2014 — SR 18

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 154, 177/2021, 9, 11, 12, 14, 15, 16

Victorian Environmental Assessment Council Act 2001 — Notice of amendment to the Victorian Environmental Assessment Council for an assessment of forest values in the Immediate Protection Areas in the Strathbogie Ranges and Mirboo North

Yarra River Protection (Wilip-gin Birrarung murron) Act 2017:

Burndap Birrarung Burndap Umarkoo (Yarra Strategic Plan)
Notice of Approval of the Burndap Birrarung Burndap Umarkoo (Yarra Strategic Plan) (*Gazette G8, 24 February 2022*).

DOCUMENT TABLED UNDER STANDING ORDERS — Under standing orders the Clerk tabled the following document:

Government response to the Economy and Infrastructure Standing Committee's Report on the inquiry into access to TAFE for learners with disability.

- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Domestic Animals Amendment (Reuniting Pets and Other Matters) Bill 2021
Health Legislation Amendment (Quality and Safety) Bill 2021.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 1 March 2022, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Domestic Animals Amendment (Reuniting Pets and Others Matters) Bill 2021
Health Legislation Amendment (Quality and Safety) Bill 2021
Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Bill 2021
Service Victoria Amendment Bill 2021

Sex Work Decriminalisation Bill 2021.

13 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Justice Legislation Amendment (Trial by Judge Alone and Other Matters) Bill 2022.

14 **ECONOMY AND INFRASTRUCTURE STANDING COMMITTEE** — Motion made, by leave, and question — That this House refers an inquiry into how Victorian universities can play a greater role in directing their own investment to support the pipeline of skilled workers needed for government priorities to ensure a growing economy to the Economy and Infrastructure Standing Committee for consideration and report no later than 1 September 2022 and the Committee should consider:

(1) future skills;

(2) working towards a clean economy; and

(3) regional skills analysis in health, agriculture and community services

(Ms Allan) — put and agreed to.

15 **ENVIRONMENT AND PLANNING STANDING COMMITTEE** — Motion made, by leave, and question — That the reporting date for the Environment and Planning Standing Committee's Inquiry into Apartment Design Standards be extended to no later than 31 August 2022
(Ms Allan) — put and agreed to.

16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 10 March 2022:

Conservation, Forests and Lands Amendment Bill 2022

Justice Legislation Amendment (Trial by Judge Alone and Other Matters) Bill 2022

(Ms Allan) — after debate, put and agreed to.

17 **STATEMENTS BY MEMBERS** — Members made statements.

18 **VICTORIA POLICE AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

19 **QUESTION TIME** — (Under Sessional Order 9).

20 **VICTORIA POLICE AMENDMENT BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Alpine Resorts Legislation Amendment Bill 2022 without amendment.
- 22 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.
- 23 **ADDRESSES ON ROYAL COMMISSION INTO VICTORIA'S MENTAL HEALTH SYSTEM** — Order read for resuming debate on question — That this House takes note of the addresses given at the special sitting at the Royal Exhibition Building on 2 March 2021 for the presentation of the Final Report of the Royal Commission into Victoria's Mental Health System; debate resumed.
- Business was interrupted at 7.00 pm under sessional orders.*
- 24 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 146 — Wednesday 9 March 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Eldorado Dredge Historic Reserve** — Requesting that the Legislative Assembly funds improvements to the Eldorado Dredge Historic Reserve that will benefit residents and local tourism, bearing 82 signatures (*Mr McCurdy*).
- Ordered to be tabled.
- 3 **PETITION — ELDORADO DREDGE HISTORIC RESERVE** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 4 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:
- Planning and Environment Act 1987* — Notice of approval of an amendment to the Victoria Planning Provisions — VC209.

5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Victoria Police Amendment Bill 2022 without amendment.

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Workplace Safety Legislation and Other Matters Amendment Bill 2021 with amendments.

Ordered — That the amendments be taken into consideration immediately.

7 **WORKPLACE SAFETY LEGISLATION AND OTHER MATTERS AMENDMENT BILL 2021** — Order read for the consideration of the amendments made by the Legislative Council.

The amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

8 **STATEMENTS BY MEMBERS** — Members made statements.

9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

10 **JUSTICE LEGISLATION AMENDMENT (FINES REFORM AND OTHER MATTERS) BILL 2022** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 23 March 2022.

11 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT BILL 2022** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 23 March 2022.

- 12 **PUFFING BILLY RAILWAY BILL 2022** — Mr Pakula tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Motion made and question — That the debate be adjourned for 13 days (*Mr Pakula*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Richard Wynne.

NOES 24

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Sam Hibbins; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to. Debate adjourned until Tuesday 22 March 2022.

- 13 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 4 be postponed until later this day.

- 14 **JUSTICE LEGISLATION AMENDMENT (TRIAL BY JUDGE ALONE AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pearson*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **CONSERVATION, FORESTS AND LANDS AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

16 **QUESTION TIME** — (Under Sessional Order 9).

17 **CONSERVATION, FORESTS AND LANDS AMENDMENT BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 4.00 pm under sessional orders.

18 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIA'S HEALTH AND AMBULANCE SYSTEM** — The Speaker read Mr Battin's proposal to the House —

'That this House notes that Labor Governments have run Victoria's health and ambulance system for 11 of the last 15 years, during which time the Member for Mulgrave has been Premier or Minister for Health, and have failed to act to fix our health crisis and must take responsibility for:

- (1) the triple-zero crisis, with Victorians being left on hold, loved family members dying whilst waiting for an ambulance that will never arrive;
- (2) more than 80,000 Victorians are left languishing on the surgery waiting lists, with the Andrews Labor Government failing to have a plan or target to drive down the record numbers;
- (3) the only state-wide Code Brown shutdown in Australia; and
- (4) 151,500 Victorians on the public general dental care waiting list, waiting nearly 24 months for a check-up'.

Mr Battin addressed the House — Discussion followed.

19 **CONSERVATION, FORESTS AND LANDS AMENDMENT BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

20 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.33 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 147 — Thursday 10 March 2022

1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 DOCUMENTS

ECONOMY AND INFRASTRUCTURE STANDING COMMITTEE — Mr Eren, Chair, tabled a report from the Economy and Infrastructure Standing Committee on the Inquiry into Commonwealth support for Victoria, together with an appendix and transcripts of evidence.

Report and appendix ordered to be published.

DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following document under an Act of Parliament:

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria — Report 2020–21.

DOCUMENT TABLED UNDER STANDING ORDERS — Under standing orders the Clerk tabled the following document:

Government response to the Legal and Social Issues Standing Committee's Report on the Inquiry into responses to historical forced adoption in Victoria.

3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 22 March 2022 (*Ms Allan*) — put and agreed to.

4 **STATEMENTS BY MEMBERS** — Members made statements.

5 **JUSTICE LEGISLATION AMENDMENT (TRIAL BY JUDGE ALONE AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under standing orders.

6 **QUESTION TIME** — (Under Sessional Order 9).

7 **JUSTICE LEGISLATION AMENDMENT (TRIAL BY JUDGE ALONE AND OTHER MATTERS) BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

8 **CONSERVATION, FORESTS AND LANDS AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 March 2022 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 65

Juliana Addison; Jacinta Allan; Brad Battin; Lizzie Blandthorn; Chris Brayne; Roma Britnell; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; David Hodgett; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Richard Riordan; Brad Rowswell; Steph Ryan; Michaela Settle; Suzanna Sheed; Ryan Smith; David Southwick; Ros Spence; Nick Staikos; Louise Staley; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Bridget Vallence; Nick Wakeling; Peter Walsh; Vicki Ward; Kim Wells; Richard Wynne.

NOES 3

Sam Hibbins; Tim Read; Ellen Sandell.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 9 **JUSTICE LEGISLATION AMENDMENT (TRIAL BY JUDGE ALONE AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.06 pm under sessional orders.

- 10 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.31 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 148, 149 and 150

No 148 — Tuesday 22 March 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **MEMBER NO LONGER SUSPENDED** — The Clerk advised the House that, on 17 March 2022, the Member for Forest Hill complied with the resolution of the House made on 14 October 2021 and amended on 9 February 2022 relating to COVID-19 vaccination requirements and that the member's suspension had been lifted.
- 3 **TRANSPORT LEGISLATION AMENDMENT (PORT REFORMS AND OTHER MATTERS) BILL 2022** — Ms Horne introduced '*A Bill for an Act to amend the **Transport Integration Act 2010**, the **Port Management Act 1995**, the **Marine Safety Act 2010**, the **Rail Management Act 1996**, the **Tourist and Heritage Railways Act 2010** and to make related amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **ROAD SAFETY LEGISLATION AMENDMENT BILL 2022** — Ms Allan on behalf of Mr Carroll introduced '*A Bill for an Act to amend the **Road Safety Act 1986** and the **Transport Accident Act 1986** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Kalkallo/Donnybrook traffic flow — Requesting that the Legislative Assembly provides for roadworks to improve the traffic flow at the Donnybrook Road/Mitchell Street roundabout to alleviate congestion experienced by residents, bearing 1315 signatures (*Ms Spence*).

Ordered to be tabled.
- 6 **PETITION — KALKALLO/DONNYBROOK TRAFFIC FLOW** — Motion made and question — That the petition presented by the Member for Yuroke be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 7 **DOCUMENTS**

ABSOLUTELY EVERYONE: STATE DISABILITY PLAN 2017–20 — Final report tabled by leave (*Mr Carbines*).

ELECTORAL MATTERS COMMITTEE — Dr Read tabled a report from the Electoral Matters Committee on the Inquiry into whether Victoria should participate in a national electoral roll platform, together with an appendix and transcripts of evidence.

Report and appendix ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Theophanous, Chair, tabled the Alert Digest No 4 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Drugs, Poisons and Controlled Substances Amendment (Decriminalisation of Possession and Use of Drugs of Dependence) Bill 2022

Gambling and Liquor Legislation Amendment Bill 2022

Human Rights and Housing Legislation Amendment (Ending Homelessness) Bill 2022

Justice Legislation Amendment (Fines Reform and Other Matters) Bill 2022

Puffing Billy Railway Bill 2022

Victoria Police Amendment Act 2022

together with appendices.

Ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Blandthorn, Chair, tabled a report from the Public Accounts and Estimates Committee on the Inquiry into Gender Responsive Budgeting, together with appendices and transcripts of evidence.

Report and appendices ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Albert Park

Financial Management Act 1994 — 2021–22 Mid-Year Financial Report incorporating Quarterly Financial Report No 2

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 7 (*Gazette G10, 10 March 2022*)

Judicial Entitlements Act 2015 — Recommendation statement under s 34

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by members of the Legislative Assembly — Ordinary returns 28 February 2022 (two volumes) — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Baw Baw — C142

Boroondara — C374
Colac Otway — C121
Glen Eira — C190
Greater Bendigo — C256
Greater Shepparton — C227
Mitchell — C129
Moorabool — C91
Moreland — C217
Mornington Peninsula — C224
Nillumbik — C126
South Gippsland — C126

Public Health and Wellbeing Act 2008 — Documents under s 165AQ on the making of pandemic orders implemented on 25 and 27 February 2022

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Education and Training Reform Act 2006* — Ministerial Order No 1360 — Order amending Ministerial Order 1038 — Mandatory Vaccination and COVID-19 Status Reporting Obligations.

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Regulatory Legislation Amendment (Reform) Bill 2021 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 9 **MESSAGES FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

On 11 March 2022
Victoria Police Amendment Bill 2022

On 16 March 2022
Alpine Resorts Legislation Amendment Bill 2022
Workplace Safety Legislation and Other Matters Amendment Bill 2021.

- 10 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Puffing Billy Railway Bill 2022.

- 11 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — SENATE VACANCY** — Transmitting a despatch from the President of the Senate notifying that a vacancy had happened in the representation of the State of Victoria in the Senate of the Commonwealth of Australia following the death of Senator Kimberley Kitching on 10 March 2022.

- 12 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — The Speaker announced that he had received the resignation of Mr Limbrick MLC from the Public Accounts and Estimates Committee, effective from 21 March 2022.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 24 March 2022:

Gambling and Liquor Legislation Amendment Bill 2022
Justice Legislation Amendment (Fines Reform and Other Matters) Bill 2022
Puffing Billy Railway Bill 2022

(Ms Allan) — after debate, put and agreed to.

- 14 **STATEMENTS BY MEMBERS** — Members made statements.

- 15 **PUFFING BILLY RAILWAY BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 16 **QUESTION TIME** — (Under Sessional Order 9).

- 17 **PUFFING BILLY RAILWAY BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned *(Mr Carbines)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **REGULATORY LEGISLATION AMENDMENT (REFORM) BILL 2021** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the following amendments be agreed to:

1. Clause 38, lines 17 to 19, omit “, whether circulating generally in Victoria or in a particular locality,” and insert “circulating generally in Victoria”.
2. Clause 38, line 22, before “approved” insert “an”.
3. Clause 38, page 25, after line 2 insert —

“(2A) For the avoidance of doubt, subsections (1) and (2) do not apply to any requirement under an Act, a statutory rule or any other subordinate instrument to provide for the publication of a notice published in a print newspaper in a particular locality.”

(Mr Pearson) — and, after debate —

Amendment proposed to the question ‘That amendment No 3 be agreed to’:

That all the words after ‘be’ be omitted and replaced with the words ‘disagreed with but the following amendments be made in the Bill:

1. Clause 38, page 25, line 2, after “subsection (1)” insert “or, if subsection (2A) applies, by complying with the requirements set out in subsection (2A)”.
2. Clause 38, page 25, after line 2 insert —
 - “(2A) Despite subsection (1), if a requirement in an Act, a statutory rule or any other subordinate instrument for notice (however described) to be published in a print newspaper applies in respect of any locality or part of Victoria which is regional or suburban Victoria, publication—
 - (a) must be in published in a print newspaper circulating in that part of regional or suburban Victoria; and
 - (b) in addition, may otherwise be published in a manner specified in subsection (1)(a) to (c).”.

(*Ms McLeish*) — and, after debate —

Question — That amendment No 1 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Christine Couzens; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Tim Richardson; Ellen Sandell; Michaela Settle; Suzanna Sheed; Ros Spence; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Richard Wynne.

NOES 22

Neil Angus; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; Danny O’Brien; Michael O’Brien; Brad Rowswell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That amendment No 2 be agreed to — put and agreed to.

Question — That the words proposed to be omitted from the question ‘That amendment No 3 be agreed to’ stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Darren Cheeseman; Christine Couzens; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Tim Richardson; Ellen Sandell; Michaela Settle; Suzanna Sheed; Ros Spence; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Richard Wynne.

NOES 22

Neil Angus; Gary Blackwood; Roma Britnell; Tim Bull; Neale Burgess; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; Danny O'Brien; Michael O'Brien; Brad Rowswell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Question — That amendment No 3 be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **PUFFING BILLY RAILWAY BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 149 — Wednesday 23 March 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS**

PRIVILEGES COMMITTEE — Mr Pakula, Chair, tabled a Report from the Privileges Committee on certain complaints under Part 3 of the *Members of Parliament (Standards) Act 1978*.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Effectiveness of the Navigator Program — Ordered to be published

Commissioner for Environmental Sustainability Victoria — Strategic Audit: Implementation of environmental management systems in Victorian Government 2020–21

Parliamentary Committees Act 2003 — Government response to the Electoral Matters Committee’s Report on the Inquiry into the impact of social media on Victorian elections and Victoria’s electoral administration

Planning and Environment Act 1987 — Notice of approval of an amendment to the Victoria Planning Provisions — VC219.

PROCLAMATION — Under Standing Order 177A, the Clerk tabled the following proclamation fixing an operative date:

Service Victoria Amendment Act 2022 — Whole Act — 9 March 2022 (*Gazette S115, 8 March 2022*).

3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Livestock Management Amendment (Animal Activism) Bill 2021 without amendment.

4 **STATEMENTS BY MEMBERS** — Members made statements.

5 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

6 **TRANSPORT LEGISLATION AMENDMENT (PORT REFORMS AND OTHER MATTERS) BILL 2022** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 6 April 2022.

7 **ROAD SAFETY LEGISLATION AMENDMENT BILL 2022** — Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Motion made and question — That the debate be adjourned for 13 days (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Darren Cheeseman; Christine Couzens; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Richard Wynne.

NOES 27

Neil Angus; Gary Blackwood; Roma Britnell; Tim Bull; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Tim Read; Brad Rowswell; Steph Ryan; Ellen Sandell; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to. Debate adjourned until Tuesday 5 April 2022.

- 8 **JUSTICE LEGISLATION AMENDMENT (FINES REFORM AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Dr Read announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 9 **QUESTION TIME** — (Under Sessional Order 9).

- 10 **JUSTICE LEGISLATION AMENDMENT (FINES REFORM AND OTHER MATTERS) BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 4.00 pm under sessional orders.

- 11 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 12 **JUSTICE LEGISLATION AMENDMENT (FINES REFORM AND OTHER MATTERS) BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 13 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.33 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 150 — Thursday 24 March 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:

West Gate Tunnel (Truck Bans and Traffic Management) Act 2019 — West Gate Tunnel Project Agreement — Third Amending Deed (three volumes).

- 3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 5 April 2022 (*Ms Allan*) — put and agreed to.

- 4 **STATEMENTS BY MEMBERS** — Members made statements.

- 5 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under standing orders.

- 6 **QUESTION TIME** — (Under Sessional Order 9).

- 7 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 8 **PUFFING BILLY RAILWAY BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and considered in detail (see p 861).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 22 March 2022 had expired.

Question — That clause 36 stands part of the Bill — put and agreed to.

Question — That clauses 37 to 47 inclusive stand part of the Bill, the Bill be agreed to without amendment, and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 9 **JUSTICE LEGISLATION AMENDMENT (FINES REFORM AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 10 **GAMBLING AND LIQUOR LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 11 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.32 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

CONSIDERATION IN DETAIL
Supplement to Votes Nos 148, 149 and 150

No 150 — Thursday 24 March 2022

PUFFING BILLY RAILWAY BILL 2022

Clauses 1 to 35 agreed to.

Clause 36 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 22 March 2022 had expired (for remaining stages see p 860).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 151, 152 and 153

No 151 — Tuesday 5 April 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **JUSTICE LEGISLATION AMENDMENT BILL 2022** — Ms Hutchins introduced ‘A Bill for an Act to amend the **Crimes at Sea Act 1999** to update references to Commonwealth legislation, to amend the **Equal Opportunity Act 2010** in relation to secrecy provisions and an exemption relating to religious schools, to amend the **Charter of Human Rights and Responsibilities Act 2006** to use gender inclusive language, to make miscellaneous amendments to the **Judicial College of Victoria Act 2001**, to amend the **Magistrates’ Court Act 1989** in relation to rule making powers, to amend the **Victorian Civil and Administrative Tribunal Act 1998** in relation to federal subject matter, to amend the **Births, Deaths and Marriages Registration Act 1996** in relation to integrated birth certificates, to make miscellaneous amendments to the **Adoption Act 1984** and to amend the **Gender Equality Act 2020** to enable the Commissioner and specified persons to use or disclose information obtained under Division 3 of Part 7 of that Act in certain circumstances and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **AGRICULTURE LEGISLATION AMENDMENT BILL 2022** — Ms Allan on behalf of Ms Thomas introduced ‘A Bill for an Act to amend the **Agricultural and Veterinary Chemicals (Control of Use) Act 1992**, the **Catchment and Land Protection Act 1994**, the **Dairy Act 2000**, the **Drugs, Poisons and Controlled Substances Act 1981**, the **Farm Debt Mediation Act 2011**, the **Livestock Disease Control Act 1994**, the **Plant Biosecurity Act 2010**, the **Rural Assistance Schemes Act 2016**, the **Veterinary Practice Act 1997**, the **Wildlife Act 1975** and the **Meat Industry Act 1993** and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Implementation of a sexual violence online reporting tool — Requesting that the Legislative Assembly calls on the Government to adopt an online tool that provides victims of sexual violence with an option to report a sexual offence to police without initiating any criminal proceedings, bearing 171 signatures (*Mr Southwick*).

Ordered to be tabled.
- 5 **PETITION — IMPLEMENTATION OF A SEXUAL VIOLENCE ONLINE REPORTING TOOL** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

6 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Morris tabled the Alert Digest No 5 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Road Safety Legislation Amendment Bill 2022
 Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022
 Wildlife Amendment (Duck Hunting) Bill 2022

together with appendices.

Ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Blandthorn, Chair, tabled a report from the Public Accounts and Estimates Committee on the 2020–21 financial and performance outcomes, together with transcripts of evidence.

Report ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Blandthorn, Chair, tabled an interim report from the Public Accounts and Estimates Committee on the Inquiry into Auditor-General's report No 253: Managing School Infrastructure (2017), together with transcripts of evidence.

Report ordered to be published.

PRIVILEGES COMMITTEE — Mr Morris, Deputy Chair, tabled a report from the Privileges Committee on a Person referred to in the Legislative Assembly — Professor David Lindenmayer AO, together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Gambling Regulation Act 2003 — Amendment to Public Lottery Licence under s 5.3.19

Major Events Act 2009 — Major Sporting Event Order for the ICC T20 Men's World Cup 2022

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — C40
 Bass Coast — C161
 Benalla — GC157
 Casey — GC192
 Colac Otway — C113
 Glen Eira — C228

Hepburn — C77
Manningham — GC192
Mansfield — C49
Maribyrnong — GC192
Maroondah — GC192
Melbourne — GC192
Mitchell — GC157
Monash — GC192
Moreland — GC192
Mornington Peninsula — C288
Murrindindi — GC192
Stonnington — GC192
Strathbogie — GC157
Wangaratta — GC157
Warrnambool — C209
Whitehorse — GC192
Whittlesea — C260, GC157
Wodonga — GC157
Wyndham — GC192
Yarra — GC192

Public Health and Wellbeing Act 2008 — Documents under s 165AQ on the making of pandemic orders implemented on 18 March 2022.

- 7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Conservation, Forests and Lands Amendment Bill 2022
Justice Legislation Amendment (Trial by Judge Alone and Other Matters) Bill 2022.

- 8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 29 March 2022, given the royal assent to the following bills, presented to her by the Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

Justice Legislation Amendment (Trial by Judge Alone and Other Matters) Bill 2022
Livestock Management Amendment (Animal Activism) Bill 2021
Regulatory Legislation Amendment (Reform) Bill 2021.

- 9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, today, given the royal assent to the Conservation, Forests and Lands Amendment Bill 2022, presented to her by the Clerk of the Parliaments.

- 10 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022.

- 11 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** — The Speaker announced that he had received the resignation of Ms Theophanous from the Scrutiny of Acts and Regulations Committee, effective from 24 March 2022.

12 **VICTORIAN RESPONSIBLE GAMBLING FOUNDATION** — The Speaker announced that he had received a letter from the Minister for Consumer Affairs, Gaming and Liquor Regulation requesting a joint sitting to elect a member of Parliament to the Victorian Responsible Gambling Foundation due to the resignation of Mr Newbury.

13 **JOINT SITTING — SENATE AND VICTORIAN RESPONSIBLE GAMBLING FOUNDATION VACANCIES** — Motion made, by leave, and question — That this House meets the Legislative Council for the purpose of sitting and voting together to:

(1) choose a person to hold the place in the Senate rendered vacant by the death of Senator Kimberley Kitching; and

(2) elect a member of Parliament to the Victorian Responsible Gambling Foundation —

and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Wednesday 6 April 2022 at 6.00 pm (*Ms Allan*) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them of the resolution and requesting their agreement.

14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 7 April 2022:

Road Safety Legislation Amendment Bill 2022

Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022

(*Ms Allan*) — after debate, put and agreed to.

15 **STATEMENTS BY MEMBERS** — Members made statements.

16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to meet the Legislative Assembly for the purpose of sitting and voting together to:

(1) choose a person to hold the place in the Senate rendered vacant by the death of Senator Kimberley Kitching; and

(2) elect a member of Parliament to the Victorian Responsible Gambling Foundation —

as proposed by the Assembly.

17 **ROAD SAFETY LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

18 **QUESTION TIME** — (Under Sessional Order 9).

- 19 **ROAD SAFETY LEGISLATION AMENDMENT BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 152 — Wednesday 6 April 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **VICTIMS OF CRIME (FINANCIAL ASSISTANCE SCHEME) BILL 2022** — Ms Hutchins introduced ‘*A Bill for an Act to provide a new scheme for providing financial assistance to victims of crime, to amend the **Victims of Crime Assistance Act 1996** and the **Victims of Crime Commissioner Act 2015**, to make consequential amendments to other Acts and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Victoria’s breast screen service — Requesting that the Legislative Assembly calls on the Government to reinstate funding for breast screening services, bearing one signature (*Mr Hodgett*)

Protect Portland District Health — Requesting that the Legislative Assembly calls on the Government to — (a) implement the recommendations made in the *Towards a Sustainable Medical Healthcare Workforce in Portland* report; (b) increase Portland District Health’s annual funding budget; and (c) guarantee there are no plans to amalgamate Portland District Hospital with any other health service, bearing 2073 signatures (*Ms Britnell*).

Petitions ordered to be tabled.

- 4 **PETITION — VICTORIA’S BREAST SCREEN SERVICE** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.
- 5 **PETITION — PROTECT PORTLAND DISTRICT HEALTH** — Motion made and question — That the petition presented by the Member for South-West Coast be taken into consideration tomorrow (*Ms Britnell*) — put and agreed to.

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Puffing Billy Railway Bill 2022 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 7 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Government Advertising — Ordered to be published
ICT Provisioning in Schools — Ordered to be published

Victorian Law Reform Commission:

Improving the Justice System Response to Sexual Offences: Supplementary Report on ‘Grab and Drag’ Conduct — Ordered to be published
Stalking — Interim Report — Ordered to be published.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Justice Legislation Amendment (Criminal Procedure Disclosure and Other Matters) Act 2022 — Part 3 — 29 March 2022 (*Gazette S157, 29 March 2022*)
Major Events Legislation Amendment (Unauthorised Ticket Packages and Other Matters) Act 2022 — Whole Act — 31 March 2022 (*Gazette S157, 29 March 2022*).

- 8 **STATEMENTS BY MEMBERS** — Members made statements.

- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

- 10 **POSTPONEMENT OF NOTICE OF MOTION** — Ordered — That the consideration of Government Business, Notice of Motion, No 2, be postponed until later this day.

- 11 **JUSTICE LEGISLATION AMENDMENT BILL 2022** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 20 April 2022.

- 12 **AGRICULTURE LEGISLATION AMENDMENT BILL 2022** — Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Walsh*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 20 April 2022.

- 13 **FEDERAL LIBERAL-NATIONAL GOVERNMENT** — Motion made and question proposed — That this House notes the federal Liberal-National Government:

- (1) has again failed to deliver Victorians their fair share in the 2022–23 budget; and
- (2) will cut all COVID-19 funding at the end of September, which is \$1.5 billion in Victoria alone

(*Mr Foley*) — and, after debate —

Business was interrupted at 2.00 pm under sessional orders.

- 14 **QUESTION TIME** — (Under Sessional Order 9).

- 15 **FEDERAL LIBERAL-NATIONAL GOVERNMENT** — Debate continued on question — That this House notes the federal Liberal-National Government:

- (1) has again failed to deliver Victorians their fair share in the 2022–23 budget; and
- (2) will cut all COVID-19 funding at the end of September, which is \$1.5 billion in Victoria alone.

Business was interrupted at 4.00 pm under sessional orders.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIAN LIBERALS POLICY BACKFLIPS** — The Speaker read Mr Dimopoulos' proposal to the House —

'That this House notes the recent backflips from the Victorian Liberals on significant policy issues including:

- (1) the Mental Health Levy where the Leader of the Opposition categorically stated in February 2022 that the Mental Health Levy would be gone if the Opposition won government; and

- (2) Emissions Reduction Targets with the Liberals' track record of voting to gut the Government's renewable energy legislation multiple times, including the Renewable Energy (Jobs and Investment) Bill 2017.'

Mr Dimopoulos addressed the House — Discussion followed.

Motion made and question — That the business of the day be called on (*Ms Staley*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 22

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; David Southwick; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 43

Juliana Addison; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Danielle Green; Bronwyn Halfpenny; Katie Hall; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Tim Pallas; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward.

Question defeated.

Discussion resumed.

[Business was interrupted at 6.00 pm for a joint sitting and resumed at 6.08 pm]

- 17 **JOINT SITTING — SENATE AND VICTORIAN RESPONSIBLE GAMBLING FOUNDATION VACANCIES** — The Acting Speaker reported that the House met today with the Legislative Council for the purpose of:
- (1) choosing a person to hold the place in the Senate rendered vacant by the death of Senator Kimberley Kitching and that Ms Jana Stewart was duly chosen to hold the vacant place; and
 - (2) electing a member of Parliament to the Victorian Responsible Gambling Foundation and that Mr David Morris MP was elected.
- 18 **FEDERAL LIBERAL-NATIONAL GOVERNMENT** — Debate continued on question — That this House notes the federal Liberal-National Government:
- (1) has again failed to deliver Victorians their fair share in the 2022–23 budget; and
 - (2) will cut all COVID-19 funding at the end of September, which is \$1.5 billion in Victoria alone.

Business was interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.19 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 153 — Thursday 7 April 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Thomastown roundabout traffic flow — Requesting that the Legislative Assembly replaces the roundabout intersection at Dalton and Settlement Roads in Thomastown with a set of traffic lights, to improve road safety and traffic flow, bearing 279 signatures (*Ms Halfpenny*).

Ordered to be tabled.

- 3 **PETITION — THOMASTOWN ROUNDABOUT TRAFFIC FLOW** — Motion made and question — That the petition presented by the Member for Thomastown be taken into consideration tomorrow (*Ms Halfpenny*) — put and agreed to.
- 4 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents under an Act of Parliament:

Subordinate Legislation Act 1984 — Documents under s 16B in relation to the *Professional Standards Act 2003*:

Law Institute of Victoria Limited Professional Standards Scheme
Law Society of South Australia Professional Standards Scheme
South Australian Bar Association Professional Standards Scheme
The Queensland Law Society Professional Standards Scheme.

- 5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 3 May 2022 (*Ms Allan*) — put and agreed to.
- 6 **STATEMENTS BY MEMBERS** — Members made statements.

7 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made and question — That so much of standing and sessional orders be suspended to allow for the following arrangements:

(1) The order of business for Tuesday 3 May 2022 is:

Question time
Formal business
Statements by members
Government business
General business.

(2) Condolences are to be given precedence, if required, on Wednesday 11 May and Thursday 12 May 2022

(Mr Pakula) — put and agreed to.

8 **VICTIMS OF CRIME (FINANCIAL ASSISTANCE SCHEME) BILL 2022** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time *(Ms Hutchins)*.

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned *(Mr Wakeling)* — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 21 April 2022.

9 **PUFFING BILLY RAILWAY BILL 2022** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

10 **TRANSPORT LEGISLATION AMENDMENT (PORT REFORMS AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Mr Pakula)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **DEATH OF SHANE WARNE** — Motion made, by leave, and question — That this House expresses its sincere sorrow at the death of Shane Warne and places on record its acknowledgement of his lasting contribution to the game of cricket and to the people of Victoria (*Mr Andrews*) — members addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 12 **TRANSPORT LEGISLATION AMENDMENT (PORT REFORMS AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Horne*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Juliana Addison; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Pauline Richards; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams.

NOES 24

Neil Angus; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; Louise Staley; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **FEDERAL LIBERAL-NATIONAL GOVERNMENT** — Order read for resuming debate on question — That this House notes the federal Liberal-National Government:
- (1) has again failed to deliver Victorians their fair share in the 2022–23 budget; and
 - (2) will cut all COVID-19 funding at the end of September, which is \$1.5 billion in Victoria alone —

debate resumed.

Business was interrupted at 2.00 pm under standing orders.

- 14 **QUESTION TIME** — (Under Sessional Order 9).

15 **FEDERAL LIBERAL-NATIONAL GOVERNMENT** — Resumption on question — That this House notes the federal Liberal-National Government:

- (1) has again failed to deliver Victorians their fair share in the 2022–23 budget; and
- (2) will cut all COVID-19 funding at the end of September, which is \$1.5 billion in Victoria alone.

Question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 50

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Tim Read; Pauline Richards; Ellen Sandell; Robin Scott; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams.

NOES 23

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Matthew Guy; David Hodgett; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Ryan Smith; Louise Staley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

16 **TRANSPORT LEGISLATION AMENDMENT (PORT REFORMS AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Fines Reform and Other Matters) Bill 2022 with amendments.

Ordered — That the amendments be taken into consideration later this day.

18 **ROAD SAFETY LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (see p 876).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 April 2022 had expired.

Question — That clause 18 stands part of the Bill — put and agreed to.

Question — That clauses 19 to 40 inclusive stand part of the Bill, the Bill be agreed to without amendment, and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **TRANSPORT LEGISLATION AMENDMENT (PORT REFORMS AND OTHER MATTERS) BILL 2022**
— Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.24 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 151, 152 and 153

No 153 — Thursday 7 April 2022

ROAD SAFETY LEGISLATION AMENDMENT BILL 2022

Clauses 1 to 17 agreed to.

Clause 18 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 April 2022 had expired (for remaining stages see p 875).

VOTES AND PROCEEDINGS

No 154

No 154 — Tuesday 3 May 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **QUESTION TIME** — (Under Sessional Order 9).
- 3 **STATE TAXATION AND TREASURY LEGISLATION AMENDMENT BILL 2022** — Mr Pallas introduced ‘A Bill for an Act to amend the *Borrowing and Investment Powers Act 1987*, the *Duties Act 2000*, the *Essential Services Commission Act 2001*, the *Land Tax Act 2005*, the *Payroll Tax Act 2007*, the *Taxation Administration Act 1997* and the *Windfall Gains Tax and State Taxation and Other Acts Further Amendment Act 2021*, to make consequential amendments to other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Public transport between Yarram and Sale — Requesting that the Legislative Assembly calls on the Government to provide public transport services that travel between Yarram and Sale, or initiate a trial to gauge the level of demand, bearing 13 signatures (*Mr O’Brien, Gippsland South*)

Noise mitigation for Kananook Train Stabling Facility — Requesting that the Legislative Assembly calls on the Government to provide mitigation for the noise generated by the operational procedures at the Kananook Train Stabling Facility in Seaford, bearing 42 signatures (*Mr Burgess*)

Senior campus for the Northern School for Autism in Lalor — Requesting that the Legislative Assembly calls on the Minister for Education and the Government to make a financial commitment in the upcoming 2022–23 State Budget to fund the planning and construction of a purpose-built senior campus for the Northern School for Autism in Lalor, bearing 1055 signatures (*Ms Halfpenny*)

Metro train network access in Donnybrook, Kalkallo and Mickleham — Requesting that the Legislative Assembly calls on the Minister for Public Transport and the Government to make a financial commitment in the 2022–23 State Budget for an express bus service operating between Donnybrook Station and Craigieburn Station, providing Donnybrook, Kalkallo and Mickleham residents with improved access to the metro train network, bearing 499 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 5 **PETITION — PUBLIC TRANSPORT BETWEEN YARRAM AND SALE** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 6 **PETITION — SENIOR CAMPUS FOR THE NORTHERN SCHOOL FOR AUTISM IN LALOR** — Motion made and question — That the petition presented by the Member for Thomastown be taken into consideration tomorrow (*Ms Halfpenny*) — put and agreed to.

7 **DOCUMENTS**

UNIVERSITY OF DIVINITY — Report 2021 tabled by leave (*Mr Merlino*).

BUDGET PAPERS 2022–23 —

Budget Paper No 1 — Treasurer's Speech
 Budget Paper No 4 — State Capital Program
 Budget Overview
 Budget Information Paper — Suburban
 Budget Information Paper — Rural and Regional
 Gender Equality Budget Statement

tabled by leave (*Mr Pallas*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Bendigo Kangan Institute — Report 2021

Box Hill Institute — Report 2021

Chisholm Institute — Report 2021

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Gillott Reserve

Deakin University — Report 2021

Duties Act 2000 — Report 1 July to 31 December 2021 of Foreign Purchaser Additional Duty Exemptions under s 3E

Federation University Australia — Report 2021

Financial Management Act 1994:

2022–23 Budget Paper No 2 — Strategy and Outlook
 2022–23 Budget Paper No 3 — Service Delivery

2022–23 Budget Paper No 5 — Statement of Finances (incorporating Quarterly Financial Report No 3)

Report from the Minister for Energy, Environment and Climate Change that she had not received the reports 2021 of the:

Falls Creek Alpine Resort Management Board

Mount Buller and Mount Stirling Alpine Resort Management Board

Mount Hotham Alpine Resort Management Board

Southern Alpine Resort Management Board —

together with an explanation for the delay

Report from the Minister for Higher Education that she had not received the Report 2021 of the University of Melbourne, together with an explanation for the delay

Gordon Institute of TAFE — Report 2021

Goulburn Ovens Institute of TAFE (gotafe) — Report 2021

Holmesglen Institute — Report 2021

Integrity and Oversight Committee — Report on the Inquiry into the education and prevention functions of Victoria's integrity agencies, together with appendices and transcripts of evidence — Report and appendices ordered to be published

La Trobe University — Report 2021

Melbourne Polytechnic — Report 2021

Monash University — Report 2021

Occupational Health and Safety Act 2004 — Order approving the Lead compliance code

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the Inquiry into Auditor-General's Report No 202: Meeting Obligations to Protect Ramsar Wetlands (2016)

Parliamentary Salaries, Allowances and Superannuation Act 1968 — Compliance Officer — Statement of Findings under s 9H — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — GC200

Banyule — C160, C164

Boroondara — C357, C362, C375

Darebin — C207

Greater Shepparton — C235

Hepburn — C81, C82

Mansfield — C45

Maroondah — C137

Melbourne — C424
Monash — C152
Moonee Valley — C209
Moreland — C215
Nillumbik — C141
Northern Grampians — GC200
Port of Melbourne — C4
Pyrenees — GC200
Towong — C38
Warrnambool — C204
Wodonga — C137

Public Health and Wellbeing Act 2008 — Report to Parliament on the extension of the pandemic declaration

Royal Melbourne Institute of Technology (RMIT University) — Report 2021

South West Institute of TAFE — Report 2021

Statutory Rules under the following Acts:

Confiscation Act 1997 — SR 21
Magistrates' Court Act 1989 — SR 20
Sex Work Act 1994 — SRs 22, 23

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 20, 22, 23

Documents under s 16B in relation to:

Environment Protection Act 2017 — Amendments to the Environment Reference Standard
Gambling Regulation Act 2003:
Ministerial direction under s 6A.7.2
Victorian Gambling and Casino Control Commission Gaming Machine Rules (Casino)

Sunraysia Institute of TAFE (SuniTAFE) — Report 2021

Swinburne University of Technology — Report 2021

TAFE Gippsland — Report 2021

Victoria Police, Chief Commissioner — Report 2021 under s 96 of the *Drugs, Poisons and Controlled Substances Act 1981*

Victoria University — Report 2021

Victorian Inspectorate — Inspection Report March to August 2021 under the *Terrorism (Community Protection) Act 2003*

William Angliss Institute of TAFE — Report 2021

Wodonga Institute of TAFE — Report 2021.

- 8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 12 April 2022, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Public Health and Wellbeing Amendment Bill 2022
Puffing Billy Railway Bill 2022.

- 9 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Speaker announced that he had received a letter from the Governor advising that she had, on 11 April 2022, received the resignation of Mr David Limbrick from the Legislative Council.

- 10 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (2022–2023) Bill 2022, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2022/2023.

Estimates ordered to be tabled.

- 11 **APPROPRIATION (2022–2023) BILL 2022** — Mr Pallas introduced ‘*A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2022/2023 and for other purposes*’; and the Bill was read a first time. In accordance with SO 61(3)(a), the House proceeded immediately to the second reading.

Mr Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Motion made and question — That the debate be now adjourned (*Mr Guy*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow. Debate adjourned until Wednesday 4 May 2022.

- 12 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2022–2023) Bill 2022, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2022/2023.

Estimates ordered to be tabled.

- 13 **APPROPRIATION (PARLIAMENT 2022–2023) BILL 2022** — Ms Allan introduced ‘*A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2022/2023 and for other purposes*’; and the Bill was read a first

time. In accordance with SO 61(3)(a), the House proceeded immediately to the second reading.

Ms Allan tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Battin*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow. Debate adjourned until Wednesday 4 May 2022.

14 **CONCURRENT DEBATE** — Motion made, by leave, and question — That this House authorises and requires the Speaker to permit the second reading and subsequent stages of the Appropriation (2022–2023) Bill 2022 and the Appropriation (Parliament 2022–2023) Bill 2022 to be moved and debated concurrently (*Ms Allan*) — put and agreed to.

15 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Wednesday 11 May 2022 (*Ms Allan*) — put and agreed to.

16 **STATEMENTS BY MEMBERS** — Members made statements.

17 **AGRICULTURE LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

18 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 155, 156 and 157

No 155 — Wednesday 11 May 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE RONALD (BUNNA) WALSH** — Motion made and question — That this House expresses its sincere sorrow at the death of the Hon Ronald (Bunna) Walsh and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for the Province of Melbourne West in 1970, Member of the Legislative Assembly for the District of Albert Park from 1979 to 1992, Minister for Public Works from 1985 to 1987, Minister for Housing and Construction from 1987 to 1988, Minister for Property and Services from 1988 to 1990 and Minister for Water Resources from 1988 to 1990 (*Mr Andrews*) — members addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 3 **DEATH OF THE HONOURABLE TOM REYNOLDS** — Motion made and question — That this House expresses its sincere sorrow at the death of the Hon Tom Reynolds and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the District of Gisborne from 1979 to 1999, Minister for Sport, Recreation and Racing from 1992 to 1996 and Minister for Rural Development and Minister for Sport from 1996 to 1999 (*Mr Andrews*) — members addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 4 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Hon Ronald (Bunna) Walsh and the late Hon Tom Reynolds, the House now adjourns until 12.15 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 11.12 am, adjourned until 12.15 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 156 — Wednesday 11 May 2022 (12.15 pm)

- 1 The House met according to the adjournment — the Speaker took the Chair.
- 2 **CHILD EMPLOYMENT AMENDMENT BILL 2022** — Mr Pearson introduced ‘*A Bill for an Act to amend the **Child Employment Act 2003** and the **Education and Training Reform Act 2006** to make further provision in relation to the employment of children and to make consequential amendments to other Acts and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **SUMMARY OFFENCES AMENDMENT (NAZI SYMBOL PROHIBITION) BILL 2022** — Ms Hutchins introduced ‘*A Bill for an Act to amend the **Summary Offences Act 1966** to make the public display of Nazi symbols an offence and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Sand mining within the Lang Lang to Grantville coastal forest corridor — Requesting that the Legislative Assembly places an immediate moratorium on sand mining work authorities within the Lang Lang to Grantville coastal forest corridor to ensure remnant forest is protected, bearing 1118 signatures (*Ms Crugnale*).

Ordered to be tabled.

- 5 **PETITION — SAND MINING WITHIN THE LANG LANG TO GRANTVILLE COASTAL FOREST CORRIDOR** — Motion made and question — That the petition presented by the Member for Bass be taken into consideration tomorrow (*Ms Crugnale*) — put and agreed to.
- 6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 6 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Agriculture Legislation Amendment Bill 2022
 Appropriation (2022–2023) Bill 2022
 Appropriation (Parliament 2022–2023) Bill 2022
Conservation, Forests and Lands Amendment Act 2022
 Justice Legislation Amendment Bill 2022
 Road Safety Amendment (Hoon Events) Bill 2021
 Victims of Crime (Financial Assistance Scheme) Bill 2022
 SR No 47 — Environment Protection Regulations 2021

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Fraud Control Over Local Government Grants — Ordered to be published
Offsetting Native Vegetation Loss on Private Land — Ordered to be published

Planning and Environment Act 1987:

Notices of approval of amendments to the following Planning Schemes:

Melbourne — C385

Victoria Planning Provisions — VC210

Whittlesea — C259

Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan — Amendment 122

Statutory Rule under the following Acts:

City of Melbourne Act 2001 — SR 24

Local Government Act 2020 — SR 24

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 28

Wildlife Act 1975:

Wildlife (Partial Closure of Dowd Morass State Game Reserve) Notice (*Gazette S153, 28 March 2022*)

Wildlife (Prohibition of Electronic Acoustic Quail Lures) Notice (*Gazette S152, 28 March 2022*)

Wildlife (Prohibition of Game Hunting) Notice (*Gazette S114, 8 March 2022*)

Wildlife (Prohibition of Game Hunting) Notice No 2 (*Gazette S122, 11 March 2022*).

- 7 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Agriculture Legislation Amendment Bill 2022

Justice Legislation Amendment Bill 2022

Victims of Crime (Financial Assistance Scheme) Bill 2022.

- 8 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 12 May 2022:

Agriculture Legislation Amendment Bill 2022

Justice Legislation Amendment Bill 2022

Victims of Crime (Financial Assistance Scheme) Bill 2022

(*Ms Allan*) — after debate, put and agreed to.

9 **STATEMENTS BY MEMBERS** — Members made statements.

Business was interrupted at 2.00 pm under sessional orders.

10 **QUESTION TIME** — (Under Sessional Order 9).

11 **STATEMENTS BY MEMBERS** — Members made further statements.

12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

13 **STATE TAXATION AND TREASURY LEGISLATION AMENDMENT BILL 2022** — Mr Pearson tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pearson*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Battin*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 25 May 2022.

14 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

15 **VICTIMS OF CRIME (FINANCIAL ASSISTANCE SCHEME) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 4.00 pm under sessional orders.

16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIA'S HEALTH SYSTEM** — The Speaker read Mr Battin's proposal to the House —

'That this House expresses concern that Victoria's health system is in crisis and notes that Victorians should not trust what the Andrews Labor Government says and instead should look at its actions, including that despite making many election promises it has:

- (1) failed to complete any of the ten community hospitals it promised in 2018;
- (2) failed to turn the sod to start the Melton Hospital it promised in 2018; and
- (3) failed to turn the sod to start the Maryborough Hospital it promised in 2018.'

Mr Battin addressed the House — Discussion followed.

- 17 **VICTIMS OF CRIME (FINANCIAL ASSISTANCE SCHEME) BILL 2022** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 4 to 6 inclusive, be postponed until later this day.

- 19 **JUSTICE LEGISLATION AMENDMENT (FINES REFORM AND OTHER MATTERS) BILL 2022** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 20 **VICTIMS OF CRIME (FINANCIAL ASSISTANCE SCHEME) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 157 — Thursday 12 May 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF SENIOR CONSTABLE BRIA JOYCE** — By leave, members made statements on the late Senior Constable Bria Joyce; and members rose in their places as a further mark of respect to the memory of the deceased.
- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Eildon–Southern Cross Station bus service — Requesting that the Legislative Assembly directs the Department of Transport to keep the existing Route 684 bus service between Eildon and Southern Cross Station, bearing 497 signatures (*Ms McLeish*).

Ordered to be tabled.

- 4 **PETITION — EILDON–SOUTHERN CROSS STATION BUS SERVICE** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

- 5 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents under an Act of Parliament:

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 21.

- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 24 May 2022 (*Ms Allan*) — put and agreed to.

- 7 **STATEMENTS BY MEMBERS** — Members made statements.

- 8 **CHILD EMPLOYMENT AMENDMENT BILL 2022** — Mr Pearson tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pearson*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 26 May 2022.

- 9 **SUMMARY OFFENCES AMENDMENT (NAZI SYMBOL PROHIBITION) BILL 2022** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 26 May 2022.

- 10 **APPROPRIATION (2022–2023) BILL 2022 AND APPROPRIATION (PARLIAMENT 2022–2023) BILL 2022** — Order read for resuming debate on question — That these Bills be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **JUSTICE LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under standing orders.

- 12 **QUESTION TIME** — (Under Sessional Order 9).

- 13 **JUSTICE LEGISLATION AMENDMENT BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 11 May 2022 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **AGRICULTURE LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **VICTIMS OF CRIME (FINANCIAL ASSISTANCE SCHEME) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 16 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 158, 159 and 160

No 158 — Tuesday 24 May 2022

- 1 The House met according to the adjournment — The Deputy Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **EDUCATION LEGISLATION AMENDMENT (ADULT AND COMMUNITY EDUCATION AND OTHER MATTERS) BILL 2022** — Mr Merlino introduced ‘A Bill for an Act to amend the *Child Wellbeing and Safety Act 2005*, the *Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021*, the *Education and Training Reform Act 2006*, the *Public Administration Act 2004*, the *Sex Offenders Registration Act 2004* and the *Worker Screening Act 2020* and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **SUSTAINABLE FORESTS TIMBER AMENDMENT (TIMBER HARVESTING SAFETY ZONES) BILL 2022** — Ms Thomas introduced ‘A Bill for an Act to amend the *Sustainable Forests (Timber) Act 2004* in relation to enforcement and other matters relating to timber harvesting operations and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **CASINO AND LIQUOR LEGISLATION AMENDMENT BILL 2022** — Ms Horne introduced ‘A Bill for an Act to amend the *Casino Control Act 1991*, the *Gambling Regulation Act 2003*, the *Liquor Control Reform Act 1998*, the *Victorian Gambling and Casino Control Commission Act 2011* and other Acts in relation to casino regulation, to provide further for the Victorian Gambling and Casino Control Commission, to establish the Victorian Liquor Commission and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Kooyong and North Roads intersection — Requesting that the Legislative Assembly improves the safety of the Kooyong and North Roads intersection for pedestrians, bearing 360 signatures (*Mr Southwick*)

Develop a new masterplan for Hosken Reserve — Requesting that the Legislative Assembly discontinues Moreland City Council’s Hosken Reserve masterplan refresh project and initiates a public and independent inquiry to develop a new masterplan that prioritises local residents, bearing 1230 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

- 6 **PETITION — KOOYONG AND NORTH ROADS INTERSECTION** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.
- 7 **PETITION — DEVELOP A NEW MASTERPLAN FOR HOSKEN RESERVE** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

8 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Morris tabled the Alert Digest No 7 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Child Employment Amendment Bill 2022
Health Legislation Amendment (Quality and Safety) Act 2022
 State Taxation and Treasury Legislation Amendment Bill 2022
 Summary Offences Amendment (Nazi Symbol Prohibition) Bill 2022

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Essential Services Commission — Accident towing fees review 2021 — Final report and recommendations under s 212G of the *Accident Towing Services Act 2007*

Municipal Association of Victoria — Report 2020–21

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Baw Baw — C139
 Boroondara — C355
 Cardinia — C257
 Greater Bendigo — C261
 Greater Geelong — C422
 Mansfield — C50
 Moreland — C216
 Nillumbik — C131
 Stonnington — C297, C317, C318
 Victoria Planning Provisions — VC218

Statutory Rules under the following Acts:

Child Wellbeing and Safety Act 2005 — SR 25
Gas Safety Act 1997 — SR 29

Long Service Benefits Portability Act 2018 — SR 26

Road Safety Act 1986 — SRs 30, 31

Service Victoria Act 2018 — SR 27

Summary Offences Act 1966 — SR 28

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 24, 26, 27, 30, 31.

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Road Safety Legislation Amendment Bill 2022

Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022.

- 10 **ROAD SAFETY LEGISLATION AMENDMENT BILL 2022** — The Deputy Speaker announced that the Speaker had received reports from the Clerk of the Legislative Council that, under Legislative Council SO 14.33, he has made the following corrections in the Bill:

In Clause 39, line 28, he has inserted ‘Safety’ after ‘Road’ in the new Division heading to be inserted into the *Transport Accident Act 1986*.

In Clause 39, page 35, line 4, he has inserted ‘Safety’ after ‘Road’.

- 11 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 18 May 2022

Justice Legislation Amendment (Fines Reform and Other Matters) Bill 2022

On 24 May 2022

Road Safety Legislation Amendment Bill 2022

Transport Legislation Amendment (Port Reforms and Other Matters) Bill 2022.

- 12 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the State Taxation and Treasury Legislation Amendment Bill 2022.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 26 May 2022:

Appropriation (2022–2023) Bill 2022

Appropriation (Parliament 2022–2023) Bill 2022

State Taxation and Treasury Legislation Amendment Bill 2022

(*Mr Pakula*) — after debate, put and agreed to.

- 14 **STATEMENTS BY MEMBERS** — Members made statements.

- 15 **APPROPRIATION (2022–2023) BILL 2022 AND APPROPRIATION (PARLIAMENT 2022–2023) BILL 2022** — Order read for resuming debate on question — That these Bills be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 16 **QUESTION TIME** — (Under Sessional Order 9).

- 17 **APPROPRIATION (2022–2023) BILL 2022 AND APPROPRIATION (PARLIAMENT 2022–2023) BILL 2022** — Debate continued on question — That these Bills be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 159 — Wednesday 25 May 2022

- 1 The Deputy Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Poowong public transport — Requesting that the Legislative Assembly calls on the Government to provide public transport services that stop at Poowong or at least initiate a trial to gauge the level of demand, bearing 357 signatures (*Mr O'Brien, Gippsland South*)

South Gippsland Highway intersection in Leongatha — Requesting that the Legislative Assembly calls on the Government to fund design and construction of stage two of the Leongatha Heavy Vehicle Alternative Route as soon as possible, bearing 91 signatures (*Mr O'Brien, Gippsland South*).

Petitions ordered to be tabled.

- 3 **PETITION — POOWONG PUBLIC TRANSPORT** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

4 **PETITION — SOUTH GIPPSLAND HIGHWAY INTERSECTION IN LEONGATHA** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Gambling Regulation Act 2003 — Report of Independent Review Panel — Keno Licensing Project — Ordered to be published

Land Tax Act 2005 — Report 1 July to 31 December 2021 of Land Tax Absentee Owner Surcharge Exemptions under s 3BB

Planning and Environment Act 1987 — Notice of approval of an amendment to the Golden Plains Planning Scheme — C100

Public Health and Wellbeing Act 2008 — Documents under s 165AQ on the making of pandemic orders implemented on:

12 April 2022

22 April 2022.

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment Bill 2022 without amendment.

7 **STATEMENTS BY MEMBERS** — Members made statements.

8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

9 **EDUCATION LEGISLATION AMENDMENT (ADULT AND COMMUNITY EDUCATION AND OTHER MATTERS) BILL 2022** — Mr Merlino tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 8 June 2022.

- 10 **SUSTAINABLE FORESTS TIMBER AMENDMENT (TIMBER HARVESTING SAFETY ZONES) BILL 2022** — Ms Thomas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Thomas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 8 June 2022.

- 11 **CASINO AND LIQUOR LEGISLATION AMENDMENT BILL 2022** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 8 June 2022.

- 12 **APPROPRIATION (2022–2023) BILL 2022 AND APPROPRIATION (PARLIAMENT 2022–2023) BILL 2022** — Order read for resuming debate on question — That these Bills be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 13 **QUESTION TIME** — (Under Sessional Order 9).

- 14 **APPROPRIATION (2022–2023) BILL 2022 AND APPROPRIATION (PARLIAMENT 2022–2023) BILL 2022** — Debate resumed on question — That these Bills be now read a second time.

Business was interrupted at 4.00 pm under sessional orders.

- 15 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 16 **APPROPRIATION (2022–2023) BILL 2022 AND APPROPRIATION (PARLIAMENT 2022–2023) BILL 2022** — Debate continued on question — That these Bills be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 160 — Thursday 26 May 2022

- 1 The Deputy Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Saving Newport rail workshops — Requesting that the Legislative Assembly declares the Newport railway workshops as a heritage precinct and all buildings, machinery and land within be used only for rail heritage purposes, bearing 4225 signatures (*Ms Horne*).

Ordered to be tabled.

- 3 **DOCUMENTS**

GOVERNMENT RESPONSE — REVIEW OF THE CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) ACT 2017 — Tabled by leave (*Ms Hutchins*).

DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following document under an Act of Parliament:

Children, Youth and Families Act 2005 — Review under s 492B of the *Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017*.

- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 7 June 2022 (*Mr Pakula*) — put and agreed to.

- 5 **STATEMENTS BY MEMBERS** — Members made statements.

- 6 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN** — Motion made and question — That under s 46D(1)(c) of the *Planning and Environment Act 1987*, Amendment 122 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved (*Mr Wynne*) — after debate, put and agreed to.

- 7 **APPROPRIATION (2022–2023) BILL 2022 AND APPROPRIATION (PARLIAMENT 2022–2023) BILL 2022** — Order read for resuming debate on question — That these Bills be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Fregon*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 8 **STATE TAXATION AND TREASURY LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under standing orders.

- 9 **QUESTION TIME** — (Under Sessional Order 9).

- 10 **STATE TAXATION AND TREASURY LEGISLATION AMENDMENT BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 24 May 2022 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **APPROPRIATION (2022–2023) BILL 2022 AND APPROPRIATION (PARLIAMENT 2022–2023) BILL 2022** — Order read for resuming debate on question — That these Bills be now read a second time.

Question — That these Bills be now read a second time and a third time — put and agreed to.

Bills sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 12 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 161, 162 and 163

No 161 — Tuesday 7 June 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **ACTING INSPECTOR, VICTORIAN INSPECTORATE** — The Speaker advised that, on 31 May 2022, he administered to Catherine Alexandra Cato, the Acting Inspector, Victorian Inspectorate, the affirmation required by s 26 of the *Victorian Inspectorate Act 2011*.
- 3 **ENVIRONMENT LEGISLATION AMENDMENT (CIRCULAR ECONOMY AND OTHER MATTERS) BILL 2022** — Ms D'Ambrosio introduced '*A Bill for an Act to amend the **Circular Economy (Waste Reduction and Recycling) Act 2021, the Environment Protection Act 2017, the Sustainability Victoria Act 2005, the Climate Change Act 2017 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes***'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (RATING AND OTHER MATTERS) BILL 2022** — Ms D'Ambrosio introduced '*A Bill for an Act to amend the **Local Government Act 1989 in relation to rates and charges, to make miscellaneous and technical amendments to the Local Government Act 2020, to make miscellaneous and technical amendments to the Essential Services Commission Act 2001, the Accident Compensation Act 1985 and the Workplace Injury Rehabilitation and Compensation Act 2013, to amend the Domestic Animals Act 1994 in relation to reuniting pets with owners, and for other purposes***'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **TREATY AUTHORITY AND OTHER TREATY ELEMENTS BILL 2022** — Ms Williams introduced '*A Bill for an Act to provide for various matters in relation to the Treaty Authority, to amend the **Advancing the Treaty Process with Aboriginal Victorians Act 2018 and for other purposes***'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **CHILDREN AND HEALTH LEGISLATION AMENDMENT (STATEMENT OF RECOGNITION AND OTHER MATTERS) BILL 2022** — Mr Carbines introduced '*A Bill for an Act to amend the **Children, Youth and Families Act 2005, the Social Services Regulation Act 2021, the Child Wellbeing and Safety Act 2005, the Commission for Children and Young People Act 2012, the Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021, the Magistrates' Court Act 1989, the Health Services Act 1988 and the Public Health and Wellbeing Act 2008, to make minor and consequential amendments to other Acts and for other purposes***'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 DOCUMENTS

PRIVILEGES COMMITTEE — Mr Pakula, Chair, tabled a report from the Privileges Committee on a person referred to in the Legislative Assembly — Ms Sarah Rees, together with an appendix.

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Morris tabled the Alert Digest No 8 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Agriculture Legislation Amendment Bill 2022

Casino and Liquor Legislation Amendment Bill 2022

Education Legislation Amendment (Adult and Community Education and Other Matters) Bill 2022

Firefighters' Presumptive Rights Compensation Legislation Amendment Bill 2022

Sustainable Forests Timber Amendment (Timber Harvesting Safety Zones) Bill 2022

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Mordialloc–Mentone Beach Park

National Parks Act 1975 — Notice of consent under s 40 for Premium Limestone Victoria Pty Ltd to conduct operations within Tyers Park to search for stone

Ombudsman — Investigation into Environment Protection Authority decisions on West Gate Tunnel Project spoil disposal — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C62

Banyule — C168

Baw Baw — C143

Boroondara — C354, C379

Central Goldfields — C37

Frankston — C138

Glen Eira — C214 Parts 1 and 2, C241, C242

Golden Plains — GC183

Greater Dandenong — C220

Hume — C243, C261

Loddon — C46

Manningham — C134
 Maribyrnong — C175
 Melbourne — C361
 Mitchell — GC198
 Monash — C163 Part 2
 Moreland — C220
 Mornington Peninsula — C262 Part 2, C267
 Murrindindi — C66
 Nillumbik — C140
 Surf Coast — GC183
 Wangaratta — C82, C87
 West Wimmera — C35
 Whittlesea — GC198
 Yarra — C231 Part 2, C302
 Yarra Ranges — C196
 Victoria Planning Provisions — VC220

Statutory Rules under the following Acts:

Conservation, Forests and Lands Act 1987 — SR 36
Magistrates' Court Act 1989 — SR 33
Residential Tenancies Act 1997 — SR 35
Road Safety Act 1986 — SR 38
Service Victoria Act 2018 — SR 32
Supreme Court Act 1986 — SR 34
Victorian Energy Efficiency Target Act 2007 — SR 37

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 25, 29, 32, 33, 34, 35, 36

Documents under s 16B in relation to:

Financial Management Act 1994 — Order to declare a class of entities as specified entities
Windfall Gains Tax and State Taxation and Other Acts Further Amendment Act 2021 —
 Declaration under s 3

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice No 3 (*Gazette S258, 26 May 2022*).

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Assisted Reproductive Treatment Amendment Act 2021 — Sections 4(3), 5, 6, 30, 39, 55, 56, 57 — 24 June 2022 (*Gazette S267, 31 May 2022*)

Domestic Animals Amendment (Reuniting Pets and Other Matters) Act 2022 — Parts 1 and 3 other than section 37 — 1 June 2022 (*Gazette S271, 1 June 2022*).

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Victims of Crime (Financial Assistance Scheme) Bill 2022 without amendment.

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Agriculture Legislation Amendment Bill 2022 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

- 10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had on 31 May 2022 given the royal assent to the Justice Legislation Amendment Bill 2022, presented to her by the Clerk of the Parliaments.

- 11 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that he had today given the royal assent to the Victims of Crime (Financial Assistance Scheme) Bill 2022, presented to him by the Clerk of the Parliaments.

- 12 **MESSAGES FROM THE LIEUTENANT-GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Casino and Liquor Legislation Amendment Bill 2022

Education Legislation Amendment (Adult and Community Education and Other Matters) Bill 2022

Sustainable Forests Timber Amendment (Timber Harvesting Safety Zones) Bill 2022.

- 13 **PANDEMIC DECLARATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — The Speaker announced that he had received the resignation of Mr Bourman MLC from the Pandemic Declaration Accountability and Oversight Committee, effective from 26 May 2022.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 9 June 2022:

Casino and Liquor Legislation Amendment Bill 2022

Child Employment Amendment Bill 2022

Summary Offences Amendment (Nazi Symbol Prohibition) Bill 2022

(Ms Allan) — after debate, put and agreed to.

- 15 **STATEMENTS BY MEMBERS** — Members made statements.

- 16 **SUMMARY OFFENCES AMENDMENT (NAZI SYMBOL PROHIBITION) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms Hutchins announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 17 **QUESTION TIME** — (Under Sessional Order 9).

- 18 **SUMMARY OFFENCES AMENDMENT (NAZI SYMBOL PROHIBITION) BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Thomas*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **AGRICULTURE LEGISLATION AMENDMENT BILL 2022** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 20 **SUMMARY OFFENCES AMENDMENT (NAZI SYMBOL PROHIBITION) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.26 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 162 — Wednesday 8 June 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Public transport between Yarram and Sale — Requesting that the Legislative Assembly calls on the Government to provide public transport services that travel between Yarram and Sale, or initiate a trial to gauge the level of demand, bearing 284 signatures (*Mr O'Brien, Gippsland South*)

Extend the bus service between Colac and Lorne — Requesting that the Legislative Assembly extends the bus service that operates between Colac, Birregurra, Deans Marsh and Lorne to a daily service, bearing 892 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

3 **PETITION — PUBLIC TRANSPORT BETWEEN YARRAM AND SALE** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

4 **PETITION — EXTEND THE BUS SERVICE BETWEEN COLAC AND LORNE** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Managing Body-Worn Cameras — Ordered to be published

Conservation, Forests and Lands Act 1987 — Variation of the code of practice for timber production 2014 (No 1/2022)

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Conservation, Forests and Lands Act 1987* — Variation of the code of practice for timber production 2014 (No 1/2022).

PROCLAMATION — Under Standing Order 177A, the Clerk tabled the following proclamation fixing an operative date:

Circular Economy (Waste Reduction and Recycling) Act 2021 — Whole Act (other than Divisions 1 and 2 of Part 3, Part 6 and ss 61, 74, 199 and 208) — 1 July 2022 (*Gazette S285, 7 June 2022*).

6 **STATEMENTS BY MEMBERS** — Members made statements.

7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

8 **ENVIRONMENT LEGISLATION AMENDMENT (CIRCULAR ECONOMY AND OTHER MATTERS) BILL 2022** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 22 June 2022.

- 9 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (RATING AND OTHER MATTERS) BILL 2022** — Ms D’Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D’Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Riordan*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 22 June 2022.

- 10 **TREATY AUTHORITY AND OTHER TREATY ELEMENTS BILL 2022** — Ms Williams tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Williams*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 22 June 2022.

- 11 **CHILDREN AND HEALTH LEGISLATION AMENDMENT (STATEMENT OF RECOGNITION AND OTHER MATTERS) BILL 2022** — Mr Carbines tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Carbines*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 22 June 2022.

- 12 **SUMMARY OFFENCES AMENDMENT (NAZI SYMBOL PROHIBITION) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **CHILD EMPLOYMENT AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 14 **QUESTION TIME** — (Under Sessional Order 9).

- 15 **CHILD EMPLOYMENT AMENDMENT BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 4.00 pm under sessional orders.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — INVESTMENT IN REGIONAL VICTORIA** — The Speaker read Ms Thomas's proposal to the House —

'That this House notes that the Andrews Labor Government has invested more than \$36 billion in regional Victoria, the largest investment of any government in Victoria's history, and further notes:

- (1) the average annual investment under the Andrews Labor Government is two and a half times the average under the previous government;
- (2) the 2022–23 Victorian Budget is the second largest investment in regional Victoria in the State's history, and 35 per cent of the new asset/infrastructure investment in the Budget is in regional Victoria; and
- (3) the 2022–23 Victorian Budget provides a record \$2.9 billion investment in health infrastructure, of which more than \$1 billion is invested in regional Victoria.'

Ms Thomas addressed the House — Discussion followed.

- 17 **CHILD EMPLOYMENT AMENDMENT BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.32 pm.

No 163 — Thursday 9 June 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — Annual Plan 2022–23

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 39.
- 3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 21 June 2022 (*Ms Allan*) — put and agreed to.
- 4 **STATEMENTS BY MEMBERS** — Members made statements.
- 5 **POSTPONEMENT OF NOTICE OF MOTION** — Ordered — That the consideration of Government Business, Notice of Motion, No 2 be postponed until later this day.
- 6 **ARRANGEMENTS FOR NEXT WEDNESDAY SITTING** — Motion made and question — That so much of standing and sessional orders be suspended to allow the following arrangements to apply on Wednesday 22 June 2022:
 - (1) At the break of business immediately after statements on parliamentary committee reports, the Chair will direct the Clerk to ring the bells for one minute to call members to the Chamber.
 - (2) Once the bells have finished ringing, the Chair will invite Bangerang and Wiradjuri Elder, Geraldine Atkinson, elected Co-Chair of the First Peoples' Assembly of Victoria and Nira illim bulluk man of the Taungurung Nation, Marcus Stewart, elected Co-Chair of the First Peoples' Assembly of Victoria to attend on the floor of the House.
 - (3) The visitors may carry into the House possum skin cloaks, wooden message sticks, wooden digging sticks, and other objects or artefacts approved by the Speaker.
 - (4) The Chair will invite Co-Chair Atkinson and Co-Chair Stewart to address the House in English and Aboriginal languages to explain what the treaty process means to them, their families and Victorian Aboriginal communities and how it may support reconciliation to benefit all Victorians.
 - (5) During the addresses, one of the visitors will read out the names of members of the First Peoples' Assembly:
 - (a) the names of the members of the First Peoples' Assembly must be provided to the Speaker at least one day in advance;

- (b) after their name is read out, each member of the First Peoples' Assembly may attend on the floor of the House entering via the door closest to the bar of the House, walking directly through the Chamber and exiting via the door behind the Chair; and
- (c) members of the First Peoples' Assembly of Victoria may carry with them possum skin cloaks, wooden message sticks, and wooden digging sticks, and other objects or artefacts approved by the Speaker, and they may clap their objects or artefacts as they walk through the Chamber.

(6) At the conclusion of the addresses, the visitors will leave the floor of the House.

(7) The House will immediately proceed with Government Business

(Ms Williams) — after debate, put and agreed to.

7 **CASINO AND LIQUOR LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Ms Neville)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the State Taxation and Treasury Legislation Amendment Bill 2022 without amendment.

9 **BUDGET PAPERS** — Motion made and question proposed — That this House takes note of the 2022–23 budget papers *(Mr Wynne)* — and, after debate —

Business was interrupted at 2.00 pm under standing orders.

10 **QUESTION TIME** — (Under Sessional Order 9).

11 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2022–23 budget papers.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 June 2022 had expired.

12 **CHILD EMPLOYMENT AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

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- 13 **SUMMARY OFFENCES AMENDMENT (NAZI SYMBOL PROHIBITION) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 3 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **CASINO AND LIQUOR LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 15 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.35 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 164, 165 and 166

No 164 — Tuesday 21 June 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **MENTAL HEALTH AND WELLBEING BILL 2022** — Mr Merlino introduced '*A Bill for an Act to re-enact, with amendments, the law relating to the treatment of persons living with mental illness or experiencing psychological distress, to repeal the **Mental Health Act 2014** and the **Victorian Collaborative Centre for Mental Health and Wellbeing Act 2021**, to consequentially amend other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **VICTORIAN ENERGY EFFICIENCY TARGET AMENDMENT BILL 2022** — Ms D'Ambrosio introduced '*A Bill for an Act to amend the **Victorian Energy Efficiency Target Act 2007** and the **Essential Services Commission Act 2001** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **RESIDENTIAL TENANCIES, HOUSING AND SOCIAL SERVICES REGULATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022** — Mr Wynne introduced '*A Bill for an Act to amend the **Residential Tenancies Act 1997** in relation to rented premises which are public housing for which Homes Victoria is the residential rental provider, to amend the **Housing Act 1983** and the **Residential Tenancies Act 1997** in relation to the provision of affordable housing, to amend the **Housing Act 1983** to provide for Homes Victoria, to extend the default commencement date of the **Social Services Regulation Act 2021** and amend the **Supported Residential Services (Private Proprietors) Act 2010** to extend the operation of expiring regulations under that Act, to consequentially amend other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **BUILDING, PLANNING AND HERITAGE LEGISLATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022** — Mr Wynne introduced '*A Bill for an Act to amend the **Building Act 1993**, the **Architects Act 1991**, the **Heritage Act 2017**, the **Planning and Environment Act 1987**, the **Surveying Act 2004**, the **Domestic Building Contracts Act 1995**, the **Building and Construction Industry Security of Payment Act 2002**, the **Victorian Civil and Administrative Tribunal Act 1998**, the **Sale of Land Act 1962**, the **Owners Corporations Act 2006**, the **Cladding Safety Victoria Act 2020** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

6 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 9 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Children and Health Legislation Amendment (Statement of Recognition and Other Matters) Bill 2022

Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2022

Independent Broad-based Anti-corruption Commission Amendment (Facilitating Timely Reporting) Bill 2022

Local Government Legislation Amendment (Rating and Other Matters) Bill 2022

Meat Industry Amendment (Rabbit Farms) Bill 2021

Summary Offences Amendment (Nazi Symbol Prohibition) Bill 2022

Treaty Authority and Other Treaty Elements Bill 2022

Victims of Crime (Financial Assistance Scheme) Act 2022

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Lynch's Bridge Historical Precinct Reserve

Queen Victoria Gardens and Memorial Statue Reserve

Orders under s 17D granting leases over Lakeside Stadium Reserve (two leases)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Greater Dandenong — C237

Mornington Peninsula — C291

Towong — C36

Victoria Planning Provisions — VC216

Whitehorse — C240

Yarra — C304, C305

Rail Safety National Law Application Act 2013 — Rail Safety National Law National Regulations (Reporting Requirements) Amendment Regulations 2022

Statutory Rules under the following Acts:

Australian Consumer Law and Fair Trading Act 2012 — SR 42

Dangerous Goods Act 1985 — SR 41

Education and Training Reform Act 2006 — SR 43

Marine (Drug, Alcohol and Pollution Control) Act 1988 — SR 40

Subordinate Legislation Act 1994 — SR 39

Tobacco Act 1987 — SR 44

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 38, 40, 41, 42

Documents under s 16B in relation to the *Gambling Regulation Act 2003* — Keno Technical Standard Version 3.3

University of Melbourne — Report 2021.

- 7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Appropriation (2022–2023) Bill 2022

Appropriation (Parliament 2022–2023) Bill 2022.

- 8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS — APPROPRIATION BILLS** — Informing the Legislative Assembly that she had today given the royal assent to the following bills, presented to her by the Speaker:

Appropriation (2022–2023) Bill 2022

Appropriation (Parliament 2022–2023) Bill 2022.

- 9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 15 June 2022, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Agriculture Legislation Amendment Bill 2022

State Taxation and Treasury Legislation Amendment Bill 2022.

- 10 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2022

Treaty Authority and Other Treaty Elements Bill 2022.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 23 June 2022:

Children and Health Legislation Amendment (Statement of Recognition and Other Matters) Bill 2022

Education Legislation Amendment (Adult and Community Education and Other Matters) Bill 2022

Local Government Legislation Amendment (Rating and Other Matters) Bill 2022

Sustainable Forests Timber Amendment (Timber Harvesting Safety Zones) Bill 2022

Treaty Authority and Other Treaty Elements Bill 2022

(Ms Allan) — after debate, put and agreed to.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — Proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Council rendered vacant by the resignation of Mr David Limbrick and that the place and time of such meeting be the Assembly Chamber on Wednesday 22 June 2022 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

- 13 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — Motion made and question — That this House agrees to the Council's proposal for a joint sitting on Wednesday 22 June 2022 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Council rendered vacant by the resignation of Mr David Limbrick *(Ms Allan)* — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them accordingly.

- 14 **STATEMENTS BY MEMBERS** — Members made statements.

- 15 **EDUCATION LEGISLATION AMENDMENT (ADULT AND COMMUNITY EDUCATION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 16 **QUESTION TIME** — (Under Sessional Order 9).

- 17 **EDUCATION LEGISLATION AMENDMENT (ADULT AND COMMUNITY EDUCATION AND OTHER MATTERS) BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned *(Ms Williams)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **SUSTAINABLE FORESTS TIMER AMENDMENT (TIMBER HARVESTING SAFETY ZONES) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.26 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 165 — Wednesday 22 June 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **CRIMES LEGISLATION AMENDMENT BILL 2022** — Ms Hutchins introduced ‘A Bill for an Act to amend the *Crimes Act 1958* to create a new offence of engaging in grossly offensive public conduct and to abolish the common law offence of outraging public decency, to amend the *Summary Offences Amendment (Decriminalisation of Public Drunkenness) Act 2021* to extend its default commencement date and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Review Mount Alexander’s public transport — Requesting that the Legislative Assembly and the Minister for Public Transport review Mount Alexander’s public transport services, bearing 626 signatures (*Ms Edwards*).

Ordered to be tabled.

- 4 **PETITION — REVIEW MOUNT ALEXANDER’S PUBLIC TRANSPORT** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.

- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Kinship Care — Ordered to be published

Melbourne Metro Tunnel Phase 2: Main Works — Ordered to be published

Ombudsman — Report on investigations into the use of force at the Metropolitan Remand Centre and the Melbourne Assessment Prison — Ordered to be published

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 44

Documents under s 16B in relation to the *Dairy Act 2000* — Dairy Food Safety Victoria Determination of Licence Classes and Fees for Dairy Businesses — 1 July 2022 to 30 June 2023.

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Summary Offences Amendment (Nazi Symbol Prohibition) Bill 2022 without amendment.

- 7 **STATEMENTS BY MEMBERS** — Members made statements.

- 8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

- 9 **ADDRESSES BY MEMBERS OF FIRST PEOPLES' ASSEMBLY** — Under the resolution of the House on Thursday 9 June 2022, the Speaker welcomed Co-Chairs of the First Peoples' Assembly, Bangerang and Wiradjuri Elder, Aunty Geraldine Atkinson and Nira illim bulluk man of the Taungurung Nation, Mr Marcus Stewart, and invited them to address the House.

The Co-Chairs read the names of members of the First Peoples' Assembly, who walked through the Chamber. The Co-Chairs then addressed the House.

The Speaker thanked the Co-Chairs and visitors for their attendance.

The visitors then withdrew from the House.

- 10 **TREATY AUTHORITY AND OTHER TREATY ELEMENTS BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 11 **QUESTION TIME** — (Under Sessional Order 9).

- 12 **TREATY AUTHORITY AND OTHER TREATY ELEMENTS BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 4.00 pm under sessional orders.

- 13 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GAMBLING HARM AND POOR MENTAL HEALTH** — The Speaker read Mr Northe's proposal to the House —

'That this House notes the linkages between gambling harm and poor mental health and the subsequent devastating impacts upon many Victorian individuals and families, and calls upon the State Government to consider the following initiatives to help prevent and better support those experiencing gambling harm:

- (1) appropriate data collection by the Coroners Court of Victoria to understand the number of suicides occurring as a result of gambling related issues;

- (2) advocacy to the Federal Government to provide for better regulation and oversight of online gambling companies, given there are few checks and balances with respect to a person having experienced gambling harm being able to open new online betting accounts;
- (3) encouraging the Federal Government to abolish or at least reduce the high volume of betting and sports betting advertisements that saturate our televisions, media and social media outlets, noting that there are limits and/or bans on the advertising of the selling of alcohol and cigarettes, yet despite the significant harm of excessive gambling, there are few constraints to gambling advertising; and
- (4) introducing a Magistrates' Court gambling intervention program (GIP), similar to that which operates in South Australia, where a therapeutic approach is applied for offenders who have committed low level criminal offences, and upholding the same application that occurs in Victoria's Drug Courts for those with drug and/or alcohol dependencies.'

Mr Northe addressed the House — Discussion followed.

- 14 **TREATY AUTHORITY AND OTHER TREATY ELEMENTS BILL 2022** — Debate continued on question — That this Bill be now read a second time.

[Business was interrupted at 6.15 pm for a joint sitting and resumed at 6.23 pm]

Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 15 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.29 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 166 — Thursday 23 June 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2022** — Ms Neville introduced 'A Bill for an Act to amend the **Sex Offenders Registration Act 2004**, the **Victoria Police Act 2013** and the **Aboriginal Heritage Act 2006** and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Upper Kiewa Valley raw water offtake — Requesting that the Legislative Assembly calls on the Government to reject sites along Embankment Drive in Mount Beauty for the Upper Kiewa Valley's raw water offtake, and establish an independent assessment team to work with North East Water to identify a different location for it, bearing 361 signatures (*Mr McCurdy*).

Ordered to be tabled.

- 4 **PETITION — UPPER KIEWA VALLEY RAW WATER OFFTAKE** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.

5 **DOCUMENTS**

MINISTERIAL RESPONSE TO THE INDEPENDENT REVIEW OF THE SERVICE VICTORIA ACT 2018 — Tabled by leave (*Mr Pearson*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Multicultural Victoria Act 2011 — Victorian Government report in multicultural affairs 2020–21

Service Victoria Act 2018 — Independent review of the operation of the Act — Final Report

Victorian Inspectorate — Annual Plan 2022–23.

- 6 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met on Wednesday 22 June 2022 with the Council for the purpose of choosing a person to hold the seat in the Council rendered vacant by the resignation of Mr David Limbrick and that Mr David Limbrick was duly chosen to hold the vacant place.

- 7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 2 August 2022 (*Ms Allan*) — put and agreed to.

- 8 **STATEMENTS BY MEMBERS** — Members made statements.

- 9 **VICTORIAN ENERGY EFFICIENCY TARGET AMENDMENT BILL 2022** — Ms D'Ambrosio tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 7 July 2022.

- 10 **RESIDENTIAL TENANCIES, HOUSING AND SOCIAL SERVICES REGULATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022** — Mr Wynne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Riordan*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 7 July 2022.

- 11 **BUILDING, PLANNING AND HERITAGE LEGISLATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022** — Mr Wynne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 7 July 2022.

- 12 **CRIMES LEGISLATION AMENDMENT BILL 2022** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 7 July 2022.

- 13 **MENTAL HEALTH AND WELLBEING BILL 2022** — Mr Merlino tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

Motion made and question — That the debate be now adjourned (*Ms Kealy*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 7 July 2022.

- 14 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (RATING AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under standing orders.

- 15 **QUESTION TIME** — (Under Sessional Order 9).

- 16 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (RATING AND OTHER MATTERS) BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr McGhie*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **CHILDREN AND HEALTH LEGISLATION AMENDMENT (STATEMENT OF RECOGNITION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Gambling and Liquor Legislation Amendment Bill 2022 without amendment.

- 19 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 8 and 9, be postponed until later this day.

- 20 **SUSTAINABLE FORESTS TIMBER AMENDMENT (TIMBER HARVESTING SAFETY ZONES) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 21 June 2022 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 70

Juliana Addison; Jacinta Allan; Brad Battin; Lizzie Blandthorn; Chris Brayne; Roma Britnell; Josh Bull; Tim Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Steve Dimopoulos; Paul Edbrooke; Maree Edwards; John Eren; Martin Foley; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; David Hodgett; Melissa Horne; Natalie Hutchins; Emma Kealy; John Kennedy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; Cindy McLeish; Lisa Neville; James Newbury; Danny O'Brien; Michael O'Brien; Martin Pakula; Danny Pearson; Pauline Richards; Tim Richardson; Richard Riordan; Brad Rowswell; Steph Ryan; Robin Scott; Michaela Settle; Suzanna Sheed; Ryan Smith; Tim Smith; David Southwick; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Vicki Ward; Kim Wells; Gabrielle Williams; Richard Wynne.

NOES 2

Sam Hibbins; Tim Read.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (RATING AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **CHILDREN AND HEALTH LEGISLATION AMENDMENT (STATEMENT OF RECOGNITION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 23 **TREATY AUTHORITY AND OTHER TREATY ELEMENTS BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

A division having been called, the Speaker advised that there was only one vote for the 'noes' and accordingly, declared that the question was agreed to. Mr Smith (Kew) asked that his dissent be recorded.

Bill sent to the Legislative Council and their agreement requested.

- 24 **EDUCATION LEGISLATION AMENDMENT (ADULT AND COMMUNITY EDUCATION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 25 **EDUCATION LEGISLATION AMENDMENT (ADULT AND COMMUNITY EDUCATION AND OTHER MATTERS) BILL 2022** — The Speaker announced that he had received a report from the Clerk that, under SO 81, she has made the following correction in the Bill:

In clause 33, line 9, she has deleted '(1)' so that it now correctly refers to s 3.3.28 of the *Education and Training Reform Act 2006*.

Business was interrupted at 5.11 pm under sessional orders.

- 26 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.33 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 167, 168 and 169

No 167 — Tuesday 2 August 2022

- 1 The House met according to the adjournment.

The Mace was brought into the House by the Serjeant-at-Arms and laid under the Table.

- 2 **RESIGNATION OF SPEAKER** — The Clerk announced that she had received the following letter:

27 June 2022

Bridget Noonan
Clerk of the Legislative Assembly
Parliament of Victoria
Spring Street
EAST MELBOURNE VIC 3002

Dear Bridget

I hereby resign as Speaker of the Legislative Assembly.

I would like to take this opportunity to thank you and your wonderful team for all your support and advice throughout my time as Speaker.

It has been an honour to serve the Parliament and the people of our state and it heartens me to know there are such incredible people working for the Parliament who are so passionate about this democratic institution.

Yours sincerely

Colin Brooks MP

- 3 **ELECTION OF SPEAKER** — Mr Andrews proposed the Member for Bendigo West, Maree Edwards, as Speaker of the Legislative Assembly and moved, That the Member for Bendigo West take the Chair of this House as Speaker. The motion was seconded by Ms Allan.

Ms Edwards accepted the nomination.

As no other member was proposed, the Clerk declared that the Member for Bendigo West had been duly elected as Speaker.

Ms Edwards was accompanied to the Chair by Mr Andrews and Ms Allan, where she acknowledged the great honour conferred upon her. The Mace was then placed on the Table.

Members congratulated the Speaker.

- 4 The Speaker read the Prayer and made an Acknowledgement of Country.
- 5 **ACTING PUBLIC ADVOCATE** — The Speaker advised that, on 6 July 2022, she administered to Sonia Melee Law, the Acting Public Advocate from 18 July to 5 August 2022, the affirmation required by s 14 of the *Guardianship and Administration Act 2019*.
- 6 **LAND AMENDMENT (ACCESSING LICENSED WATER FRONTAGES) BILL 2022** — Motion made and question — That the Member for Murray Plains introduce ‘*A Bill for an Act to amend the **Land Act 1958** to control access to and camping on licensed water frontages in response to potential foot and mouth disease outbreaks or other biosecurity, public safety or animal welfare risks, to amend the **Livestock Management Act 2010** in relation to licensed water frontages and for other purposes*’ (Mr Walsh) — put.

The House divided (the Speaker, Ms Edwards, in the Chair) —

AYES 27

Neil Angus; Brad Battin; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O’Brien; Michael O’Brien; Tim Read; Richard Riordan; Brad Rowswell; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 49

Juliana Addison; Jacinta Allan; Daniel Andrews; Lizzie Blandthorn; Chris Brayne; Colin Brooks; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Paul Edbrooke; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

- 7 **RACING AMENDMENT (UNAUTHORISED ACCESS) BILL 2022** — Mr Carbines introduced ‘*A Bill for an Act to amend the **Racing Act 1958** to prohibit unauthorised access to certain areas of racecourses during race meetings and official trial meetings and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

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- 8 **EARLY CHILDHOOD LEGISLATION AMENDMENT BILL 2022** — Ms Hutchins introduced ‘*A Bill for an Act to amend the **Education and Care Services National Law Act 2010, the Children’s Services Act 1996, the Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021, the Child Wellbeing and Safety Act 2005** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **MAJOR CRIME AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2022** — Ms Kilkenny introduced ‘*A Bill for an Act to amend the **Confiscation Act 1997, the Crimes Act 1958, the Crimes (Assumed Identities) Act 2004, the Drugs, Poisons and Controlled Substances Act 1981** and the **Sex Work Decriminalisation Act 2022** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **MONITORING OF PLACES OF DETENTION BY THE UNITED NATIONS SUBCOMMITTEE ON PREVENTION OF TORTURE (OPCAT) BILL 2022** — Ms Kilkenny introduced ‘*A Bill for an Act to facilitate visits to places of detention and access to information by the United Nations Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in accordance with the Subcommittee’s mandate under the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 11 **DISABILITY AMENDMENT BILL 2022** — Mr Brooks introduced ‘*A Bill for an Act to amend the **Disability Act 2006** in relation to the Secretary’s functions, the sharing of information, residential services, restrictive practices, compulsory treatment and other related matters, to amend the **Residential Tenancies Act 1997** in relation to SDA enrolled dwellings, to amend the **Disability Service Safeguards Act 2018** in relation to registration requirements, to make consequential amendments to other Acts, and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 12 **CASINO LEGISLATION AMENDMENT (ROYAL COMMISSION IMPLEMENTATION AND OTHER MATTERS) BILL 2022** — Ms Horne introduced ‘*A Bill for an Act to amend the **Casino Control Act 1991, the Casino (Management Agreement) Act 1993, the Gambling Regulation Act 2003** and the **Tobacco Act 1987** to implement recommendations of the Royal Commission into the Casino Operator and Licence and other gambling reforms and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 13 **STATE SPORT CENTRES LEGISLATION AMENDMENT BILL 2022** — Mr Dimopoulos introduced ‘*A Bill for an Act to amend the **State Sport Centres Act 1994, the Melbourne and Olympic Parks Act 1985, the Australian Grands Prix Act 1994, the Albert Park Land Act 1972, the Major Events Act 2009** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 14 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

South Gippsland Highway intersection in Leongatha — Requesting that the Legislative Assembly calls on the Government to fund design and construction of stage two of the Leongatha Heavy Vehicle Alternative Route as soon as possible, bearing 83 signatures (*Mr O'Brien, Gippsland South*)

Maryborough Tennis Centre — Requesting that the Legislative Assembly notes the poor condition of the tennis courts, netball courts and court lighting at the Maryborough Tennis Centre and calls on the Government to assist the Central Goldfields Shire with funding to improve these facilities, bearing 179 signatures (*Ms Staley*).

Mobile phone service in Lucas — Requesting that the Legislative Assembly notes the inadequacy of the mobile phone service in Lucas and ensures that all new estates are required to provide good mobile phone and internet coverage, bearing 607 signatures (*Ms Staley*).

Western Victorian transmission network — Requesting that the Legislative Assembly places the AUSNET towers underground along the Western Highway, bearing 2052 signatures (*Ms Staley*).

Petitions ordered to be tabled.

- 15 **PETITION — MARYBOROUGH TENNIS CENTRE** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 16 **PETITION — MOBILE PHONE SERVICE IN LUCAS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 17 **PETITION — WESTERN VICTORIAN TRANSMISSION NETWORK** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 18 **PETITION — SOUTH GIPPSLAND HIGHWAY INTERSECTION IN LEONGATHA** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

19 **DOCUMENTS**

FRANKSTON HOSPITAL REDEVELOPMENT PROJECT — Project Summary tabled by leave (*Ms Thomas*).

LEGAL AND SOCIAL ISSUES STANDING COMMITTEE — Ms Suleyman, Chair, tabled a report from the Legal and Social Issues Standing Committee on the Inquiry into support for older Victorians from migrant and refugee backgrounds, together with an appendix and transcripts of evidence.

Report and appendix ordered to be published.

ENVIRONMENT AND PLANNING STANDING COMMITTEE — Ms Connolly, Chair, tabled a report from the Environment and Planning Standing Committee on the Inquiry into apartment design standards, together with appendices and transcripts of evidence.

Report and appendices ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 10 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Building, Planning and Heritage Legislation Amendment (Administration and Other Matters) Bill 2022

Crimes Legislation Amendment Bill 2022

Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2022

Firearms Amendment Bill 2022

Independent Broad-based Anti-corruption Commission Amendment (Facilitating Timely Reporting) Bill 2022

Mental Health and Wellbeing Bill 2022

Residential Tenancies, Housing and Social Services Regulation Amendment (Administration and Other Matters) Bill 2022

Victorian Energy Efficiency Target Amendment Bill 2022

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General:

Responses to Performance Engagement Recommendations: Annual Status Update — Ordered to be published

Results of 2021 Audits: Technical and Further Education Institutes — Ordered to be published

Results of 2021 Audits: Universities — Ordered to be published

Conservation, Forests and Lands Act 1987:

Code of Practice for Bushfire Management on Public Land (2012) (amended 2022)

Variation of the Code of Practice for Bushfire Management on Public Land (2012) (No 1/2022)

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Alexandra Park Reserve

Yarra Valley Parklands

Orders under ss 17B and 17D granting licences and leases over Albert Park (two orders)

Independent Broad-based Anti-corruption Commission and Ombudsman — Operation Watts — Investigation into allegations of misuse of electorate office and ministerial office staff and resources for branch stacking and other party-related activities — Ordered to be published

Occupational Health and Safety Act 2004:

Order approving the Communicating occupational health and safety across languages compliance code

Order revoking the approval of the Communicating occupational health and safety across languages compliance code

Ombudsman:

Annual Plan 2022–23 — Ordered to be published

Investigation into complaint handling in the Victorian social housing sector — Ordered to be published

Investigation of a matter referred from the Legislative Council on 9 February 2022 — Part 1 — Ordered to be published

Pandemic Declaration Accountability and Oversight Committee:

Review of the Pandemic (Visitors to Hospitals and Care Facilities) Orders, together with appendices, extracts of proceedings, minority report and transcripts of evidence — Report, appendices, extracts of proceedings and minority report ordered to be published

Review of the Pandemic (Quarantine, Isolation and Testing) Orders, together with appendices, minority report and transcripts of evidence — Report, appendices and minority report ordered to be published

Parliamentary Budget Officer — Operational Plan 2022–23

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C190

Boroondara — C313, C337, C366, C384

Casey — C273, C290

Colac Otway — C118

Corangamite — GC201

Glen Eira — C204

Golden Plains — C92

Greater Dandenong — C234

Greater Geelong — C417

Kingston — C200, C201

Macedon Ranges — GC201

Mansfield — C44

Melbourne — C380, C396, C407, C421, C429, C430

Melton — C229

Mildura — C106

Mornington Peninsula — C269, C275
Moyne — C76
Nillumbik — C118, C138
Port Phillip — C205
Stonnington — C321
Surf Coast — C134, C139
Victoria Planning Provisions — VC213, VC217, VC230
Whitehorse — C222
Whittlesea — C247
Wyndham — C261
Yarra — C263, C300
Yarra Ranges — C200, C209

Public Health and Wellbeing Act 2008 — Report to Parliament on the extension of the pandemic declaration (July 2022)

Rail Safety National Law Application Act 2013 — Rail Safety National Law National Regulations (Fees and FOI) Amendment Regulations 2022

Road Safety Act 1986 — Guidelines for Assessing Fitness to Drive (*Gazette S309, 22 June 2022*)

Statutory Rules under the following Acts:

Borrowing and Investment Powers Act 1987 — SR 52
Building Act 1993 — SR 50
Criminal Procedure Act 2009 — SR 57
Electricity Industry Act 2000 — SR 55
Firearms Act 1996 — SR 58
Gas Industry Act 2001 — SR 56
Magistrates' Court Act 1989 — SR 54
Mental Health Act 2014 — SR 46
Occupational Health and Safety Act 2004 — SR 53
Road Safety Act 1986 — SRs 47, 51
Spent Convictions Act 2021 — SR 49
Subordinate Legislation Act 1994 — SR 45
Water Act 1989 — SR 48

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 43, 45, 46, 47, 50, 51, 53, 54

Documents under s 16B in relation to the:

Education and Training Reform Act 2006 — Ministerial Order No 1387 — Order amending Ministerial Orders 1038 and 1039 — School Council Employees and Teaching Service (Vaccination Requirements for Specialist School Facilities)

Gambling Regulation Act 2003:

Gaming Machine Entitlement Allocation and Transfer Rules
Ministerial Direction under s 4.8A.2

Road Safety Act 1986 — Order in Council Declaring Certain Motor Vehicles Not To Be Motor Vehicles

Victorian Energy Efficiency Target Act 2007 — Notice of Declaration of a Discount Factor

Water Act 1989 — Order for Amendment of the Trading Rules for Declared Water Systems (Revised Goulburn to Murray Trade Rule)

Victorian Independent Remuneration Tribunal — Members of Parliament (Victoria) Annual Adjustment Determination 2022

Victorian Inspectorate — Inspection Report 2020–21 on controlled operations records and reports under the *Crimes (Controlled Operations) Act 2004*, *Wildlife Act 1975* and *Fisheries Act 1995*

Wrongs Act 1958 — Notice of scale of fees and costs for referrals of medical questions to Medical Panels under Part VBA (*Gazette S327, 29 June 2022*)

Yoorrook Justice Commission — Yoorrook with Purpose — Interim Report — Ordered to be published.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Alpine Resorts Legislation Amendment Act 2022 — Whole Act — 1 October 2022 (*Gazette S371, 26 July 2022*)

Casino and Liquor Legislation Amendment Act 2022 — Whole Act (other than ss 8 and 18) — 1 July 2022; s 18 — 25 August 2022; s 8 — 1 October 2022 (*Gazette S336, 30 June 2022*)

Justice Legislation Amendment Act 2022 — Section 7 — 19 July 2022 (*Gazette S365, 19 July 2022*)

Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022 — Division 2 of Part 2 (other than ss 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 37A, 38, 39, 40, 41 and 42), ss 74 and 82 — 18 July 2022 (*Gazette S346, 5 July 2022*)

Legal Profession Uniform Law Application Amendment Act 2019 — Remaining provisions — 1 July 2022 (*Gazette S336, 30 June 2022*)

Road Safety Legislation Amendment Act 2022 — Parts 1, 3 and 4 and ss 18 and 19 — 6 July 2022 (*Gazette S346, 5 July 2022*).

20 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Casino and Liquor Legislation Amendment Bill 2022

Child Employment Amendment Bill 2022.

21 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 28 June 2022, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Casino and Liquor Legislation Amendment Bill 2022

Child Employment Amendment Bill 2022

Gambling and Liquor Legislation Amendment Bill 2022
Summary Offences Amendment (Nazi Symbol Prohibition) Bill 2022.

- 22 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Building, Planning and Heritage Legislation Amendment (Administration and Other Matters) Bill 2022

Mental Health and Wellbeing Bill 2022

Residential Tenancies, Housing and Social Services Regulation Amendment (Administration and Other Matters) Bill 2022.

- 23 **COMMITTEE RESIGNATIONS** — The Speaker announced that she had received the resignations of Ms Blandthorn from the Public Accounts and Estimates Committee and Ms Shing MLC from the Integrity and Oversight Committee and the Pandemic Declaration Accountability and Oversight Committee, effective from today.

- 24 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:

- (1) Ms Connolly be discharged from the Environment and Planning Standing Committee and that Ms Addison be a member in her place;
- (2) Mr Maas be a member of the Integrity and Oversight Committee;
- (3) Ms Suleyman be discharged from the Legal and Social Issues Standing Committee and that Ms Theophanous be a member in her place;
- (4) Mr Eren be a member of the Pandemic Declaration Accountability and Oversight Committee; and
- (5) Ms Connolly be a member of the Public Accounts and Estimates Committee

(Ms Blandthorn) — put and agreed to.

- 25 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately:

- (1) The order of business for Tuesday 2 August 2022 to be:

Formal business

Statements by members

Government business

Question time (at 2.00 pm)

Government business *continued*

Grievance debate (at 4.00 pm)

Government business *continued*.

(2) Condolences to be given precedence on Wednesday 3 August 2022

(Ms Blandthorn) — put and agreed to.

26 **ECONOMY AND INFRASTRUCTURE STANDING COMMITTEE** — Motion made, by leave, and question — That the reporting date for the Economy and Infrastructure Standing Committee's Inquiry into Victorian universities' investment in skills be extended to no later than 28 October 2022 *(Ms Blandthorn)* — put and agreed to.

27 **ELECTION OF DEPUTY SPEAKER** — Mr Andrews proposed the Member for St Albans, Natalie Suleyman, as Deputy Speaker and moved, That the Member for St Albans be appointed Deputy Speaker of this House. The motion was seconded by Ms Allan.

Ms Suleyman accepted the nomination.

As no other member was proposed, the Speaker announced that the Member for St Albans had been duly elected Deputy Speaker.

Mr Andrews and Ms Staley congratulated the Deputy Speaker.

28 **ACTING SPEAKERS** — The Speaker tabled the following warrant:

PANEL OF ACTING SPEAKERS

Under Standing Order 20, I appoint Gary Blackwood, Josh Bull, Sarah Connolly, Christine Couzens, Jordan Crugnale, Paul Edbrooke, Bronwyn Halfpenny, Tim McCurdy, Frank McGuire David Morris, Pauline Richards, Tim Richardson, Jackson Taylor and Vicki Ward to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

Maree Edwards MP
SPEAKER
2 August 2022.

29 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 4 August 2022:

Building, Planning and Heritage Legislation Amendment (Administration and Other Matters) Bill 2022
Crimes Legislation Amendment Bill 2022
Mental Health and Wellbeing Bill 2022
Victorian Energy Efficiency Target Amendment Bill 2022

(Ms Blandthorn) — after debate, put and agreed to.

30 **STATEMENTS BY MEMBERS** — Members made statements.

- 31 **JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2022** — Mr Carbines tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Carbines*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Kealy*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Tuesday 16 August 2022.

- 32 **MENTAL HEALTH AND WELLBEING BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Ms Kealy announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 33 **QUESTION TIME** — (Under Sessional Order 9).

- 34 **MENTAL HEALTH AND WELLBEING BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 4.00 pm under the resolution of the House today.

- 35 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 36 **MENTAL HEALTH AND WELLBEING BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 37 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.27 pm.

No 168 — Wednesday 3 August 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE JANE GARRETT** — Motion made and question — That this House expresses its sincere sorrow at the death of the Hon Jane Garrett and places on record its acknowledgement of the valuable services rendered by her to the Parliament, the Government, the Labor movement and the people of Victoria as Member of the Legislative Assembly for the District of Brunswick from 2010 to 2018, Member of the Legislative Council for the Region of Eastern Victoria from 2018 to 2022 and the Minister for Emergency Services and Minister for Consumer Affairs, Gaming and Liquor Regulation from 2014 to 2016 (*Mr Andrews*) — members and the Speaker addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the life, memory and contribution of the late Hon Jane Garrett, the House now adjourns until tomorrow (*Mr Andrews*) — put and agreed to.

And the House, at 11.42 am, adjourned until tomorrow.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 169 — Thursday 4 August 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **JUSTICE LEGISLATION AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2022** — Ms Kilkeny introduced ‘*A Bill for an Act to amend the **Confiscation Act 1997**, the **Crimes Act 1958**, the **Criminal Procedure Act 2009**, the **Evidence (Miscellaneous Provisions) Act 1958**, the **Jury Directions Act 2015** and the **Summary Offences Act 1966** in relation to sexual offences, evidence and procedure, to amend the **Court Security Act 1980** and the **Open Courts Act 2013** to extend the operation of certain temporary provisions and to make consequential amendments to other Acts and for other purposes*’; and, after debate, the Bill was read a first time and, by leave, ordered to be read a second time later this day.

- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Railway commuter carparks in Ferntree Gully — Requesting that the Legislative Assembly ceases development of any additional railway commuter carparks in Ferntree Gully until consultation to assess community needs has occurred, bearing 46 signatures (*Mr Wakeling*).

Ordered to be tabled.

- 4 **PETITION — RAILWAY COMMUTER CARPARKS IN FERNTREE GULLY** — Motion made and question — That the petition presented by the Member for Ferntree Gully be taken into consideration tomorrow (*Mr Wakeling*) — put and agreed to.

- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents under Acts of Parliament:

Melbourne Cricket Ground Trust (MCG) — Report year ended 31 March 2022

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 58, 60.

- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 16 August 2022 (*Ms Blandthorn*) — put and agreed to.

- 7 **STATEMENTS BY MEMBERS** — Members made statements.

- 8 **EARLY CHILDHOOD LEGISLATION AMENDMENT BILL 2022** — Ms Hutchins tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 18 August 2022.

- 9 **CASINO LEGISLATION AMENDMENT (ROYAL COMMISSION IMPLEMENTATION AND OTHER MATTERS) BILL 2022** — Ms Horne tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Horne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Gippsland South*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 18 August 2022.

- 10 **JUSTICE LEGISLATION AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2022** — Ms Kilkeny tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kilkeny*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 18 August 2022.

- 11 **MAJOR CRIME AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2022** — Ms Kilkeny tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kilkeny*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 18 August 2022.

- 12 **MONITORING OF PLACES OF DETENTION BY THE UNITED NATIONS SUBCOMMITTEE ON PREVENTION OF TORTURE (OPCAT) BILL 2022** — Ms Kilkeny tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kilkeny*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 18 August 2022.

- 13 **RACING AMENDMENT (UNAUTHORISED ACCESS) BILL 2022** — Mr Carbines tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Carbines*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 18 August 2022.

- 14 **DISABILITY AMENDMENT BILL 2022** — Mr Brooks tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Brooks*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Staley*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 18 August 2022.

- 15 **STATE SPORT CENTRES LEGISLATION AMENDMENT BILL 2022** — Mr Dimopoulos tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Dimopoulos*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Thursday 18 August 2022.

- 16 **VICTORIAN ENERGY EFFICIENCY TARGET AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Kilkeny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **BUILDING, PLANNING AND HERITAGE LEGISLATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms Blandthorn announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under standing orders.

- 18 **QUESTION TIME** — (Under Sessional Order 9).

- 19 **BUILDING, PLANNING AND HERITAGE LEGISLATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **CRIMES LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Williams*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **MENTAL HEALTH AND WELLBEING BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 2 August 2022 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **VICTORIAN ENERGY EFFICIENCY TARGET AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 23 **BUILDING, PLANNING AND HERITAGE LEGISLATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, the Government amendment be agreed to and the Bill be now read a third time — put.

The House divided (the Speaker, Ms Edwards, in the Chair) —

AYES 50

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Colin Brooks; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Jordan Crugnale; Ali Cupper; Lily D’Ambrosio; Steve Dimopoulos; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; Sam Hibbins; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Michaela Settle; Suzanna Sheed; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 19

Neil Angus; Brad Battin; Roma Britnell; David Hodgett; Tim McCurdy; Cindy McLeish; James Newbury; Danny O’Brien; Michael O’Brien; Richard Riordan; Brad Rowswell; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 24 **CRIMES LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.08 pm under sessional orders.

- 25 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.37 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 170, 171 and 172

No 170 — Tuesday 16 August 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **HUMAN SOURCE MANAGEMENT BILL 2022** — Ms Kilkeny introduced ‘*A Bill for an Act to provide for the registration, use and management of human sources by Victoria Police, to provide for the external oversight of the use of human sources, to consequentially amend the **Victoria Police Act 2013** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Erosion of Loch Sport foreshore at Lake Victoria — Requesting that the Legislative Assembly calls on the Government to provide urgent funding to address erosion along the Loch Sport foreshore at Lake Victoria, bearing 367 signatures (*Mr O’Brien, Gippsland South*).

Curdies River Catchment — Requesting that the Legislative Assembly requires the relevant ministers to approve a Remediation Action Plan for the Curdies River Catchment to regenerate and maintain the health and bio-cultural values of the catchment for the benefit of all Victorians, bearing 522 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

- 4 **PETITION — EROSION OF LOCH SPORT FORESHORE AT LAKE VICTORIA** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O’Brien, Gippsland South*) — put and agreed to.
- 5 **PETITION — CURDIES RIVER CATCHMENT** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.
- 6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 11 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022

Crimes Legislation Amendment Bill 2022
 Disability Amendment Bill 2022
 Early Childhood Legislation Amendment Bill 2022
 Health Legislation Amendment (Conscientious Objection) Bill 2022
 Justice Legislation Amendment (Police and Other Matters) Bill 2022
 Justice Legislation Amendment (Sexual Offences and Other Matters) Bill 2022
 Major Crime and Community Safety Legislation Amendment Bill 2022
 Monitoring of Places of Detention by the United Nations Subcommittee on Prevention of Torture (OPCAT) Bill 2022
 Multicultural Victoria Amendment (Independence) Bill 2022
 Planning and Environment Amendment (Wake Up to Climate Change) Bill 2022
 Racing Amendment (Unauthorised Access) Bill 2022
 State Sport Centres Legislation Amendment Bill 2022
 SR No 43/2021 — Public Health and Wellbeing Amendment (QR Reporting Infringement) Regulations 2021
 SR No 11 — Relationships (Fees) Amendment Regulations 2022

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C214
 Cardinia — C275
 Maroondah — C147
 Pyrenees — C51
 South Gippsland — C124
 Victoria Planning Provisions — VC221, VC223
 Wodonga — C130
 Wyndham — C248

Public Health and Wellbeing Act 2008 — Documents under s 165AQ on the making of pandemic orders implemented on:

24 June 2022
 12 July 2022

Statutory Rules under the following Acts:

Assisted Reproductive Treatment Act 2008 — SR 60
Building Act 1993 — SR 61
Catchment and Land Protection Act 1994 — SR 59

Subordinate Legislation Act 1994:

Documents tabled under s 15 in relation to Statutory Rules 59, 61, 64, 66

Documents tabled under s 16B in relation to:

Education and Training Reform Act 2006 — Ministerial Order No 1365 amending Ministerial Order No 1228 — Victorian Institute of Teaching Registration Fees

Food Act 1984:

Classes of Food Premises and Requirements — Declarations and Exemptions

Minimum Record Keeping — Class 3 Food Premises and Class 3A Food Premises.

PROCLAMATIONS — Under Standing Order 177A, the Clerk tabled the following proclamations fixing operative dates:

Assisted Reproductive Treatment Amendment Act 2021 — Remaining provisions — 15 August 2022 (*Gazette S384, 2 August 2022*)

Liquor Control Reform Amendment Act 2021 — Section 4(1), 6, 19(2), 21, 22, 23, 24, 26, 27, 28, 37, 40, 42, 45, 46(1) and 47(a) — 25 August 2022 (*Gazette S384, 2 August 2022*).

- 7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Local Government Legislation Amendment (Rating and Other Matters) Bill 2022

Sustainable Forests Timber Amendment (Timber Harvesting Safety Zones) Bill 2022.

- 8 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 9 August 2022, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Local Government Legislation Amendment (Rating and Other Matters) Bill 2022

Sustainable Forests Timber Amendment (Timber Harvesting Safety Zones) Bill 2022.

- 9 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022

Early Childhood Legislation Amendment Bill 2022

Justice Legislation Amendment (Police and Other Matters) Bill 2022

Justice Legislation Amendment (Sexual Offences and Other Matters) Bill 2022

Major Crime and Community Safety Legislation Amendment Bill 2022

Racing Amendment (Unauthorised Access) Bill 2022.

- 10 **HOUSE COMMITTEE** — The Speaker announced that she had received the resignation of Ms Edwards from the House Committee effective from today.

11 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:

- (1) Ms Allan, Mr Cheeseman and Ms Edwards be discharged from the Standing Orders Committee and Ms Blandthorn, Ms Settle and Ms Suleyman be members in their place; and
- (2) Ms Suleyman be a member of the House Committee

(Ms Blandthorn) — put and agreed to.

12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 18 August 2022:

Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2022

Justice Legislation Amendment (Police and Other Matters) Bill 2022

Justice Legislation Amendment (Sexual Offences and Other Matters) Bill 2022

Residential Tenancies, Housing and Social Services Regulation Amendment (Administration and Other Matters) Bill 2022

State Sport Centres Legislation Amendment Bill 2022

(Ms Blandthorn) — after debate, put.

The House divided (the Speaker, Ms Edwards, in the Chair) —

AYES 49

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Colin Brooks; Josh Bull; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D’Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Cindy McLeish; James Newbury; Danny O’Brien; Michael O’Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallance; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — Proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Council rendered vacant following the death of the Honourable Jane Garrett MLC and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 17 August 2022 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 17 August 2022 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Council rendered vacant following the death of the Honourable Jane Garrett MLC (*Ms Blandthorn*) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them accordingly.

14 **STATEMENTS BY MEMBERS** — Members made statements.

15 **ENVIRONMENT LEGISLATION AMENDMENT (CIRCULAR ECONOMY AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

16 **QUESTION TIME** — (Under Sessional Order 9).

17 **ENVIRONMENT LEGISLATION AMENDMENT (CIRCULAR ECONOMY AND OTHER MATTERS) BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted and replaced with the words 'this Bill be withdrawn and redrafted to truly protect the circular economy by investigating reductions in waste such as banning large scale incineration projects, and boosts to recycling' (*Dr Read*) — and, after debate —

Business was interrupted at 7.00 pm under sessional orders.

18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.29 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 171 — Wednesday 17 August 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents under an Act of Parliament:

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 67.
- 3 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Education Legislation Amendment (Adult and Community Education and Other Matters) Bill 2022
Treaty Authority and Other Treaty Elements Bill 2022
Victorian Energy Efficiency Target Amendment Bill 2022.
- 4 **STATEMENTS BY MEMBERS** — Members made statements.
- 5 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.
- 6 **HUMAN SOURCE MANAGEMENT BILL 2022** — Ms Kilkeny tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kilkeny*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until Wednesday 31 August 2022.
- 7 **RESIDENTIAL TENANCIES, HOUSING AND SOCIAL SERVICES REGULATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.
- 8 **QUESTION TIME** — (Under Sessional Order 9).
- 9 **RESIDENTIAL TENANCIES, HOUSING AND SOCIAL SERVICES REGULATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Brooks*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 4.00 pm under sessional orders.

- 11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — ARRANGEMENTS OF THE FORMER LIBERAL PARTY CHIEF OF STAFF** — The Speaker read Mr Pearson's proposal to the House —

'That this House notes the public reports in *The Age* on Tuesday 2 August 2022 regarding secret arrangements between the Member for Bulleen, his former Chief of Staff, Mitch Catlin, and a Liberal Party donor and that the Member for Bulleen continues to refuse to answer the most basic questions regarding this scandal.'

Mr Pearson addressed the House — Discussion followed.

- 12 **JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2022** — Debate continued on question — That this Bill be now read a second time.

[Business was interrupted at 6.15 pm for a joint sitting and resumed at 6.23 pm]

Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 7.00 pm under sessional orders.

- 13 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.20 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 172 — Thursday 18 August 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met on Wednesday 17 August 2022 with the Council for the purpose of choosing a person to

hold the seat in the Council rendered vacant following the death of the Honourable Jane Garrett MLC and that Thomas McIntosh was duly chosen to hold the vacant place.

3 DOCUMENTS

LETTER TO THE SPEAKER AND PRESIDENT ABOUT THE 2021–22 ANNUAL REPORT ARRANGEMENTS — Tabled by leave (*Mr Pearson*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 65

Victorian Inspectorate — Report 1 July to 31 December 2021 under s 30Q of the *Surveillance Devices Act 1999*.

4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 30 August 2022 (*Ms Blandthorn*) — put and agreed to.

5 **STATEMENTS BY MEMBERS** — Members made statements.

6 **JUSTICE LEGISLATION AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under standing orders.

7 **QUESTION TIME** — (Under Sessional Order 9).

8 **JUSTICE LEGISLATION AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put.

The House divided (the Speaker, Ms Edwards, in the Chair) —

AYES 24

Neil Angus; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

NOES 48

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Colin Brooks; Josh Bull; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Katie Hall; Paul

Hamer; Jill Hennessy; Melissa Horne; Natalie Hutchins; John Kennedy; Sonya Kilkenny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

Question defeated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Thomas*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 9 **STATE SPORT CENTRES LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Ms McLeish announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 16 August 2022 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 10 **ENVIRONMENT LEGISLATION AMENDMENT (CIRCULAR ECONOMY AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘this Bill be withdrawn and redrafted to truly protect the circular economy by investigating reductions in waste such as banning large scale incineration projects, and boosts to recycling’.

Question — That the words proposed to be omitted stand part of the question — put.

A division having been called, the Speaker advised that there was only one vote for the 'noes' and accordingly, declared that the question was agreed to. Dr Read asked that his dissent be recorded.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **RESIDENTIAL TENANCIES, HOUSING AND SOCIAL SERVICES REGULATION AMENDMENT (ADMINISTRATION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **JUSTICE LEGISLATION AMENDMENT (SEXUAL OFFENCES AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.08 pm under sessional orders.

- 14 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.36 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 173, 174 and 175

No 173 — Tuesday 30 August 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Truck ban on Heidelberg-Kinglake Road — Requesting that the Legislative Assembly addresses the hazards on the Heidelberg-Kinglake Road between St Andrews and Kinglake by prohibiting the road from being used as a truck route for vehicles over 4.5 tonnes, installing flashing warning lights in St Andrews and Kinglake at the road entrance, building truck and large vehicle turning areas at both ends of the road, and withdrawing permits for large vehicles to use this route except for emergency usage, bearing 136 signatures (*Ms McLeish*)

Ocean safety and awareness centre in Apollo Bay — Requesting that the Legislative Assembly supports development of the Victorian Blue Ocean Safety Skills Centre to educate Victorian secondary school students and community groups in life-saving ocean safety skills and provide refuge in times of natural disasters, bearing 783 signatures (*Mr Riordan*)

Victorian Blue Ocean Safety Skills Centre — Requesting that the Legislative Assembly calls on the Government to support the proposal for the Victorian Blue Ocean Safety Skills Centre, bearing 302 signatures (*Mr Riordan*).

Ordered to be tabled.

- 3 **PETITION — TRUCK BAN ON HEIDELBERG-KINGLAKE ROAD** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 4 **PETITION — OCEAN SAFETY AND AWARENESS CENTRE IN APOLLO BAY** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.
- 5 **PETITION — VICTORIAN BLUE OCEAN SAFETY SKILLS CENTRE** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

6 DOCUMENTS

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Connolly, Chair, tabled a report from the Public Accounts and Estimates Committee on the 2022–23 Budget Estimates, together with a minority report and transcripts of evidence.

Report and minority report ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Ms Connolly, Chair, tabled the Public Accounts and Estimates Committee’s End of Term Report for the 59th Parliament, together with appendices.

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Connolly tabled the Alert Digest No 12 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Energy Legislation Amendment (Transition from Coal) Bill 2022

Human Source Management Bill 2022

Independent Broad-based Anti-corruption Commission Amendment (Restoration of Powers) Bill 2022

Land Amendment (Accessing Licensed Water Frontages) Bill 2022

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Albert Park Reserves

Kings Domain and Alexandra Park Reserves

Treasury Gardens, Alexandra Gardens, Kings Domain and Parliament Gardens Reserves

Order under s 17D granting a lease over Point Leo Foreshore Reserve

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Guidelines for Assessing Fitness to Drive (*Gazette S415, 19 August 2022*)

Statutory Rule 61 — Notice of Incorporation of Material and Address for Inspection of Documents (*Gazette G33, 18 August 2022*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C227

Brimbank — C234
Horsham — C79
Melton — C208
Moreland — C222
Northern Grampians — C61
Port Phillip — C183
Queenscliffe — C36
Stonnington — C322

Statutory Rules under the following Acts:

Alpine Resorts (Management) Act 1997 — SR 67
Commercial Passenger Vehicle Industry Act 2017 — SR 66
Crown Land (Reserves) Act 1978 — SR 62
Electoral Act 2002 — SR 68
Forests Act 1958 — SR 63
Gas Safety Act 1997 — SR 64
Subordinate Legislation Act 1994 — SR 65
Supreme Court Act 1986 — SR 69

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 57, 62, 63, 68, 69
Documents under s 16B in relation to the *Land Tax Act 2005* — Guidelines for rooming house exemption under s 75

Victorian Electoral Commission — Report to Parliament on the 2021 South Gippsland Shire Council general election

Victorian Environmental Assessment Council — Assessment of the values of the Strathbogie Ranges and Mirboo North Immediate Protection Areas (three documents).

PROCLAMATIONS — Under SO 177A, the Clerk tabled the following proclamations fixing operative dates:

Gambling and Liquor Legislation Amendment Act 2022 — Part 2 (other than Division 1), Part 3 (other than Divisions 1 and 3), Part 4 (other than ss 146(3), 147, 148, 149 and 155) and Part 5 — 1 September 2022 (*Gazette S422, 23 August 2022*)
Victorian Collaborative Centre for Mental Health and Wellbeing Act 2021 — Whole Act (other than s 11(7) and (8)) — 1 September 2022 (*Gazette S422, 23 August 2022*)
Workplace Injury Rehabilitation and Compensation Amendment (Arbitration) Act 2021 — Whole Act — 1 September 2022 (*Gazette S422, 23 August 2022*).

- 7 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION OF ALLEGIANCE TO MEMBERS** —
The Speaker announced that she had received a Commission from the Governor:

BY HER EXCELLENCY THE HONOURABLE LINDA DESSAU AC
GOVERNOR OF VICTORIA

TO THE HONOURABLE MAREE EDWARDS MP
SPEAKER OF THE LEGISLATIVE ASSEMBLY OF VICTORIA

GREETING:

Acting under section 23(1) of the *Constitution Act 1975*, I authorise you, from time to time, in the Parliament Houses, Melbourne, to administer the prescribed Oath or Affirmation of Allegiance to any Member of the Legislative Assembly who has not already taken and subscribed the same since their election to the Legislative Assembly.

Given under my hand and the seal of Victoria on this 19th day of August 2022.

(LS)

THE HONOURABLE LINDA DESSAU AC
Governor

By Her Excellency's Command
DANIEL ANDREWS MP
Premier

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Legislation Amendment Bill 2022 without amendment.
- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Mental Health and Wellbeing Bill 2022 with amendments.

Motion made and question — That the amendments be taken into consideration immediately (*Ms Blandthorn*) — after debate, put.

The House divided (the Speaker, Ms Edwards, in the Chair) —

AYES 51

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Colin Brooks; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 27

Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Danny O'Brien; Michael O'Brien; Tim Read; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallenge; Nick Wakeling; Peter Walsh.

Question agreed to.

- 10 **MENTAL HEALTH AND WELLBEING BILL 2022** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 11 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 23 August 2022

Education Legislation Amendment (Adult and Community Education and Other Matters) Bill 2022

Treaty Authority and Other Treaty Elements Bill 2022

Victorian Energy Efficiency Target Amendment Bill 2022

Today

Crimes Legislation Amendment Bill 2022.

- 12 **VALEDICTORY STATEMENTS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect on Tuesday 13 September 2022 and remain in place until Thursday 15 September 2022:

- (1) At 2.50 pm each day, the Chair will interrupt business to allow retiring members to make valedictory statements for up to 15 minutes each.
- (2) Any business under discussion at the time of interruption that has not been completed will be resumed immediately after the valedictory statements and any member speaking at the time of the interruption may continue their speech.
- (3) If members are making valedictory statements at:
 - (a) 4.00 pm on Wednesday;
 - (b) the time allocated for completion of government business under SO 97; or
 - (c) the time set for the adjournment under Sessional Order 2 —

the Chair will not interrupt business until members have completed their statements

(Ms Blandthorn) — put and agreed to.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 1 September 2022:

Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022

Early Childhood Legislation Amendment Bill 2022

Major Crime and Community Safety Legislation Amendment Bill 2022

Monitoring of Places of Detention by the United Nations Subcommittee on Prevention of Torture (OPCAT) Bill 2022

(Ms Blandthorn) — and, after debate —

Business was interrupted at 2.00 pm under sessional orders.

- 14 **QUESTION TIME** — (Under Sessional Order 9).

- 15 **GOVERNMENT BUSINESS PROGRAM** — Debate continued on question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 1 September 2022:

Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022

Early Childhood Legislation Amendment Bill 2022

Major Crime and Community Safety Legislation Amendment Bill 2022

Monitoring of Places of Detention by the United Nations Subcommittee on Prevention of Torture (OPCAT) Bill 2022.

Question — put.

The House divided (the Speaker, Ms Edwards, in the Chair) —

AYES 52

Juliana Addison; Jacinta Allan; Lizzie Blandthorn; Chris Brayne; Colin Brooks; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Lily D'Ambrosio; Steve Dimopoulos; Luke Donnellan; Paul Edbrooke; John Eren; Martin Foley; Will Fowles; Matt Fregon; Danielle Green; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Melissa Horne; Natalie Hutchins; Marlene Kairouz; John Kennedy; Sonya Kilkeny; Gary Maas; Stephen McGhie; Frank McGuire; James Merlino; Lisa Neville; Martin Pakula; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Robin Scott; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Vicki Ward; Gabrielle Williams; Richard Wynne.

NOES 28

Neil Angus; Brad Battin; Gary Blackwood; Roma Britnell; Tim Bull; Ali Cupper; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; David Morris; James Newbury; Russell Northe; Danny O'Brien; Michael O'Brien; Richard Riordan; Brad Rowswell; Steph Ryan; Suzanna Sheed; Ryan Smith; David Southwick; Louise Staley; Bill Tilley; Bridget Vallence; Nick Wakeling; Peter Walsh; Kim Wells.

Question agreed to.

- 16 **STATEMENTS BY MEMBERS** — Members made statements.
- 17 **EARLY CHILDHOOD LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 174 — Wednesday 31 August 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Curdies River Catchment** — Requesting that the Legislative Assembly requires the relevant ministers to approve a Remediation Action Plan for the Curdies River Catchment, to regenerate and maintain the health and bio-cultural values of the catchment for the benefit of all Victorians, bearing 582 signatures (*Mr Riordan*).
- Ordered to be tabled.
- 3 **PETITION — CURDIES RIVER CATCHMENT** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.
- 4 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document under an Act of Parliament:

Auditor-General — Follow-up of Protecting Victoria’s Coastal Assets — Ordered to be published.

- 5 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2022
Justice Legislation Amendment (Sexual Offences and Other Matters) Bill 2022.

- 6 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — The Speaker announced that she had received the resignation of Mr Barton MLC from the Public Accounts and Estimates Committee effective from today.

- 7 **STATEMENTS BY MEMBERS** — Members made statements.

- 8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

- 9 **EARLY CHILDHOOD LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms D’Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **CASINO LEGISLATION AMENDMENT (ROYAL COMMISSION IMPLEMENTATION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr O’Brien (Gippsland South) announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Business was interrupted at 2.00 pm under sessional orders.

- 11 **QUESTION TIME** — (Under Sessional Order 9).

- 12 **CASINO LEGISLATION AMENDMENT (ROYAL COMMISSION IMPLEMENTATION AND OTHER MATTERS) BILL 2022** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Brooks*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

13 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 3 and 4, be postponed until later this day.

14 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2022–23 budget papers; debate resumed.

Business was interrupted at 4.00 pm under sessional orders.

15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIAN HEALTH CARE CRISIS** — The Speaker read Mr Guy's proposal to the House —

'That this House notes that the Andrews Labor Government has presided over a Victorian health care crisis and:

- (1) there are more than 87,000 people on the elective surgery waitlist, Triple Zero delays, ambulance response time blowouts and tents being used as emergency departments around the State;
- (2) despite Victoria's health crisis, the Andrews Labor Government has this financial year cut \$2 billion to health funding;
- (3) the Guy Liberals and Nationals will shelve Labor's \$35 billion Box Hill to Cheltenham train project and use that money to fix our healthcare system;
- (4) the communities of Mildura, Melton, Sandringham, St Arnaud, Wodonga, Warragul, Rosebud, Caulfield, Shepparton, Werribee and Greater Melbourne will benefit from new or upgraded hospitals under the Liberals and Nationals;
- (5) Victorians will benefit under the Liberals and Nationals with a commitment to halve the waiting list in the next four years, provide more mental health support in schools and a \$4,500 rebate for IVF patients;
- (6) only the Liberals and Nationals will provide free public transport for healthcare workers and funding for education expenses for nurses; and
- (7) instead of fixing the crisis, the Andrews Labor Government will proceed with the east and north sections of the rail loop, costing taxpayers \$200 billion for a project that has a benefit-cost ratio of 0.6, and has been criticised by economic and transport experts.'

Mr Guy addressed the House — Discussion followed.

16 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2022–23 budget papers.

Business was interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 175 — Thursday 1 September 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

East Wimmera Health Service St Arnaud campus — Requesting that the Legislative Assembly recommends the Government funds Stage 1 of the East Wimmera Health Service St Arnaud campus redevelopment, bearing 751 signatures (*Ms Staley*).

Ordered to be tabled.

- 3 **PETITION — EAST WIMMERA HEALTH SERVICE ST ARNAUD CAMPUS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

4 **DOCUMENTS**

PRIVILEGES COMMITTEE — Mr Pakula, Chair, tabled a report from the Privileges Committee on a person referred to in the Legislative Assembly — Professor David Lindenmayer AO, together with appendices.

Ordered to be published.

ECONOMY AND INFRASTRUCTURE COMMITTEE — Mr Eren, Chair, tabled a report from the Economy and Infrastructure Committee on the Inquiry into Victorian universities' investment in skills, together with appendices and transcripts of evidence.

Report and appendices ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Auditor-General — The Effectiveness of Victoria Police's Staff Allocation — Ordered to be published

Sentencing Act 1991 — Sentencing of emergency worker harm offences — Review into the operation and effectiveness of the *Sentencing Amendment (Emergency Worker Harm) Act 2020*.

DOCUMENT TABLED UNDER A RESOLUTION OF THE HOUSE — The Clerk tabled the following document:

Parliamentary Integrity Adviser — Report 2021–22.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 13 September 2022 (*Ms Blandthorn*) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Members made statements.

7 **CASINO LEGISLATION AMENDMENT (ROYAL COMMISSION IMPLEMENTATION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Fregon*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

8 **MAJOR CRIME AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under standing orders.

9 **QUESTION TIME** — (Under Sessional Order 9).

10 **MAJOR CRIME AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

11 **MONITORING OF PLACES OF DETENTION BY THE UNITED NATIONS SUBCOMMITTEE ON PREVENTION OF TORTURE (OPCAT) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — *The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 30 August 2022 had expired.*

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **EARLY CHILDHOOD LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **CASINO LEGISLATION AMENDMENT (ROYAL COMMISSION IMPLEMENTATION AND OTHER MATTERS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **MAJOR CRIME AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 5.01 pm under sessional orders.

- 15 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

VOTES AND PROCEEDINGS

No 176

No 176 — Tuesday 13 September 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **MESSAGE FROM THE GOVERNOR — DEATH OF QUEEN ELIZABETH II AND ACCESSION OF KING CHARLES III** — The Speaker announced that she had received a message from the Governor:

The Governor informs the Legislative Assembly that she has learned with the deepest regret that our late most Gracious Sovereign Her Majesty Elizabeth passed away at Balmoral Castle, United Kingdom on the 8th day of September, 2022.

The Governor further informs the Legislative Assembly that on the 11th day of September, 2022, His Majesty King Charles the Third was duly and lawfully proclaimed King of Australia and His other Realms and Territories, Head of the Commonwealth.

The Governor therefore desires that pursuant to section 23 of the *Constitution Act 1975*, honourable members will, before they proceed to sit and vote in the Assembly, severally take and subscribe the Oath or Affirmation of Allegiance set forth in the Second Schedule to the said Act to His Majesty King Charles the Third, before a Commissioner duly authorised by the Governor to attend in the Legislative Assembly this day to administer the same.

THE HONOURABLE LINDA DESSAU AC
Governor

The Speaker left the Chair and the Mace was placed under the Table.

- 3 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS** — The Honourable Justice Phillip Priest, having entered the House and been conducted by the Serjeant-at-Arms to the Chair, announced that he had received from the Governor a Commission to administer the oath or affirmation of allegiance to Members of the Legislative Assembly, which the Clerk read as follows:

BY HER EXCELLENCY THE HONOURABLE LINDA DESSAU AC,
GOVERNOR OF VICTORIA

TO THE HONOURABLE JUSTICE PHILLIP PRIEST,
JUDGE OF THE COURT OF APPEAL

GREETING:

Acting under section 23 of the *Constitution Act 1975* I authorise you, in the Parliament Houses, Melbourne, to administer the prescribed Oath or Affirmation of allegiance to any Member of the Legislative Assembly or Legislative Council on the 13th day of September 2022.

Given under my hand and the Seal of Victoria on this 12th day of September 2022.

(LS)

THE HONOURABLE LINDA DESSAU AC
Governor

By Her Excellency's Command
DANIEL ANDREWS MP
Premier

4 **MEMBERS' ALLEGIANCE** — The following members took and subscribed the oath or affirmation as required by law:

Albert Park	Martin Foley
Altona	Jill Hennessy
Bass	Jordan Crugnale
Bayswater	Jackson Taylor
Bellarine	Lisa Neville
Benambra	Bill Tilley
Bendigo East	Jacinta Allan
Bendigo West	Maree Edwards
Bentleigh	Nick Staikos
Box Hill	Paul Hamer
Brighton	James Newbury
Broadmeadows	Frank McGuire
Brunswick	Tim Read
Bulleen	Matthew Guy
Bundoora	Colin Brooks
Buninyong	Michaela Settle
Burwood	Will Fowles
Carrum	Sonya Kilkenny
Caulfield	David Southwick
Clarinda	Meng Heang Tak
Cranbourne	Pauline Richards
Croydon	David Hodgett
Dandenong	Gabrielle Williams
Eildon	Cindy McLeish
Eltham	Vicki Ward
Essendon	Danny Pearson
Euroa	Steph Ryan
Evelyn	Bridget Vallence
Ferntree Gully	Nick Wakeling
Footscray	Katie Hall
Forest Hill	Neil Angus

Frankston	Paul Edbrooke
Geelong	Christine Couzens
Gembrook	Brad Battin
Gippsland East	Tim Bull
Gippsland South	Danny O'Brien
Hawthorn	John Ormond Kennedy
Ivanhoe	Anthony Carbines
Kew	Tim Smith
Keysborough	Martin Pakula
Kororoit	Marlene Kairouz
Lara	John Eren
Lowan	Emma Kealy
Macedon	Mary-Anne Thomas
Malvern	Michael O'Brien
Melbourne	Ellen Sandell
Melton	Stephen McGhie
Mildura	Ali Cupper
Mill Park	Lily D'Ambrosio
Monbulk	James Merlino
Mordialloc	Tim Richardson
Mornington	David Morris
Morwell	Russell Northe
Mount Waverley	Matt Fregon
Mulgrave	Daniel Andrews
Murray Plains	Peter Walsh
Narracan	Gary Blackwood
Narre Warren North	Luke Donnellan
Narre Warren South	Gary Maas
Nepean	Chris Brayne
Niddrie	Ben Carroll
Northcote	Kat Theophanous
Oakleigh	Steve Dimopoulos
Ovens Valley	Tim McCurdy
Pascoe Vale	Lizzie Blandthorn
Polwarth	Richard Riordan
Prahran	Sam Hibbins
Preston	Robin Scott
Richmond	Richard Wynne
Ripon	Louise Staley
Rowville	Kim Wells
Sandringham	Brad Rowswell
Shepparton	Suzanna Sheed
South Barwon	Darren Cheeseman
South-West Coast	Roma Britnell
St Albans	Natalie Suleyman
Sunbury	Josh Bull
Sydenham	Natalie Hutchins
Tarneit	Sarah Connolly

Thomastown	Bronwyn Halfpenny
Warrandyte	Ryan Smith
Wendouree	Juliana Addison
Werribee	Tim Pallas
Williamstown	Melissa Horne
Yan Yean	Danielle Green
Yuroke	Ros Spence

The Commissioner then retired from the House.

The Speaker took the Chair and the Mace was placed on the Table.

- 5 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS** — The Speaker announced that she had received a Commission from the Governor:

BY HER EXCELLENCY THE HONOURABLE LINDA DESSAU AC
GOVERNOR OF VICTORIA

TO THE HONOURABLE MAREE EDWARDS MP
SPEAKER OF THE LEGISLATIVE ASSEMBLY OF VICTORIA

GREETING:

Acting under section 23 of the *Constitution Act 1975* I authorise you, from time to time, in the Parliament Houses, Melbourne, to administer the prescribed Oath or Affirmation of Allegiance to any Member of the Legislative Assembly who has not already taken and subscribed the same since the demise of the Crown.

Given under my hand and the Seal of Victoria on this 12th day of September 2022.

(LS)

THE HONOURABLE LINDA DESSAU AC
Governor

By Her Excellency's Command
DANIEL ANDREWS MP
Premier

- 6 **ADDRESS TO HIS MAJESTY KING CHARLES III** — Motion made and question — That the following Address to His Majesty King Charles III be agreed to by this House:

We, the Legislative Assembly of Victoria, in Parliament assembled, express our deep sympathy with Your Majesty and members of the Royal Family in your sorrow at the death of Her late Majesty Queen Elizabeth II. We acknowledge and pay tribute to Her Majesty's lifetime of dedicated service and honour the commitment she made to the people of the Commonwealth.

We also extend our sincere congratulations to Your Majesty on your accession to the Throne and express our wishes that your reign is a long and happy one.

(Mr Andrews) — put, and after members and the Speaker had addressed the House in support of the motion, members rose in their places to signify their assent, and the Speaker declared it agreed to unanimously.

- 7 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the Her late Majesty Queen Elizabeth II, the House now adjourns until Tuesday 20 September 2022 *(Mr Andrews)* — put and agreed to.

And the House, at 3.47 pm, adjourned until Tuesday 20 September 2022.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

VOTES AND PROCEEDINGS

Nos 177 and 178

No 177 — Tuesday 20 September 2022

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **MEMBER'S ALLEGIANCE** — Mr Halse took and subscribed the oath as required by law.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Benalla's Indoor Recreation Centre — Requesting that the Legislative Assembly provides immediate funding for the redevelopment of Benalla's Indoor Recreation Centre, bearing 453 signatures (*Ms Ryan*)

Mirboo North stadium and gym facility (two petitions) — Requesting that the Legislative Assembly calls on the Government to fund a new stadium and gym facility for Mirboo North, bearing 297 and 15 signatures (*Mr O'Brien, Gippsland South*)

Myrtleford swimming pool — Requesting that the Legislative Assembly calls on the Government to fund the construction of a new swimming pool in Myrtleford, bearing 283 signatures (*Mr McCurdy*)

24-hour cat curfew — Requesting that the Legislative Assembly calls on the Government to conduct an inquiry into the Knox City Council's order to introduce a 24-hour cat curfew, bearing 200 signatures (*Mr Wells*)

Non-government business — Requesting that the Legislative Assembly amends the standing orders to reinstate non-government business, bearing 372 signatures (*Ms Sheed*)

Extend the metropolitan rail network from Cranbourne to Koo Wee Rup — Requesting that the Legislative Assembly calls on the Government to extend the metropolitan rail network from Cranbourne to Koo Wee Rup, bearing 158 signatures (*Mr Smith, Warrandyte*).

Ordered to be tabled.

- 4 **PETITION — BENALLA'S INDOOR RECREATION CENTRE** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 5 **PETITION — EXTEND THE METROPOLITAN RAIL NETWORK FROM CRANBOURNE TO KOO WEE RUP** — Motion made and question — That the petition presented by the Member

for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.

- 6 **PETITION — MYRTLEFORD SWIMMING POOL** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 7 **PETITION — MIRBOO NORTH STADIUM AND GYM FACILITY (297 SIGNATURES)** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 8 **PETITION — MIRBOO NORTH STADIUM AND GYM FACILITY (15 SIGNATURES)** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 9 **PETITION — NON-GOVERNMENT BUSINESS** — Motion made and question — That the petition presented by the Member for Shepparton be taken into consideration tomorrow (*Ms Sheed*) — put and agreed to.

10 DOCUMENTS

PRIVILEGES COMMITTEE — Mr Pakula, Chair, tabled a report from the Privileges Committee on the complaint by the Member for Polwarth, together with appendices.

Ordered to be published.

PRIVILEGES COMMITTEE — Mr Pakula, Chair, tabled a joint report from the Privileges Committees on the Review of the Ongoing Resolution on the Parliamentary Integrity Adviser, together with an appendix.

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Morris tabled the Alert Digest No 13 of 2022 from the Scrutiny of Acts and Regulations Committee on the:

Anti-corruption and Higher Parliamentary Standards (Strengthening Integrity) Bill 2022

Health Legislation Amendment (Conscientious Objection) Bill 2022

Justice Legislation Amendment (Sexual Offences and Other Matters) Act 2022

Major Crime and Community Safety Legislation Amendment Bill 2022

Residential Tenancies, Housing and Social Services Regulation Amendment (Administration and Other Matters) Act 2022

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Audit Act 1994 — Financial Audit of the Victorian Auditor-General's Office year ended 30 June 2022

Climate Change Act 2017 — Victorian Greenhouse Gas Emissions Report 2020

Health Complaints Commissioner — Report 2021–22

Independent Broad-based Anti-corruption Commission (IBAC) — Annual Plan 2022–23

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by Members of the Legislative Assembly — Ordinary Returns 28 July 2022 (two volumes) — Ordered to be published

Ombudsman — Investigation into a former youth worker's unauthorised access to private information about children — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C353 Part 2

Campaspe — C117

Colac Otway — C116

East Gippsland — C164

Golden Plains — C99

Greater Bendigo — C254

Greater Geelong — C437

Latrobe — C133

Manningham — C127

Mansfield — C51 Part 1

Melbourne — C387, C428

Moreland — C195, C224

South Gippsland — C125

Surf Coast — C140

Victorian Planning Provisions — VC225

Warrnambool — C210

Whitehorse — C231

Regional Development Victoria — Report 2021–22

Statutory Rules under the following Acts:

Domestic Animals Act 1994 — SR 74

Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 — SR 71

Forests Act 1958 — SR 76

Livestock Management Act 2010 — SR 70

Public Health and Wellbeing Act 2008 — SRs 72, 73

Subordinate Legislation Act 1994 — SR 75

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 71, 72, 73, 75, 76, 78, 79, 80

Documents under s 16B in relation to the *Public Holidays Act 1993* — Notice of additional public holiday

Victorian Environmental Assessment Council Act 2001 — Notice of request to the Victorian Environmental Assessment Council for an assessment of early government-accepted Land Conservation Council recommendations under s 26C

Victorian Government Purchasing Board — Report 2021–22

Victorian Information Commissioner, Office of (OVIC) — Report 2021–22

Victorian Local Government Grants Commission — Allocation Report 2022–23.

DOCUMENTS TABLED UNDER STANDING ORDERS — Under standing orders the Clerk tabled the following documents:

Government response to the Economy and Infrastructure Standing Committee’s Inquiry into Commonwealth support for Victoria

Proclamations fixing operative dates:

Justice Legislation Amendment (Fines Reform and Other Matters) Act 2022 — ss 32, 35, 36(2), 37A, 38, 39, 41, 42, 99, 102, 105 and 109 — 6 September 2022 (*Gazette S456, 6 September 2022*)

Public Health and Wellbeing Amendment (Pandemic Management) Act 2021 — Remaining provisions — 30 August 2022 (*Gazette S438, 30 August 2022*)

Workplace Safety Legislation and Other Matters Amendment Act 2022 — Part 5 — 1 September 2022 (*Gazette S439, 30 August 2022*).

11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Justice Legislation Amendment (Police and Other Matters) Bill 2022

Residential Tenancies, Housing and Social Services Regulation Amendment (Administration and Other Matters) Bill 2022

State Sport Centres Legislation Amendment Bill 2022.

12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 6 September 2022, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Environment Legislation Amendment (Circular Economy and Other Matters) Bill 2022

Justice Legislation Amendment (Police and Other Matters) Bill 2022

Justice Legislation Amendment (Sexual Offences and Other Matters) Bill 2022

Mental Health and Wellbeing Bill 2022

Residential Tenancies, Housing and Social Services Regulation Amendment (Administration and Other Matters) Bill 2022

State Sport Centres Legislation Amendment Bill 2022.

- 13 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the following arrangements to come into effect immediately and remain in place until the House adjourns on Wednesday 21 September 2022:

- (1) At 2.50 pm each day, the Chair will interrupt business to allow retiring members to make valedictory statements for up to 15 minutes each.
- (2) Any business under discussion at the time of interruption that has not been completed will be resumed immediately after the valedictory statements and any member speaking at the time of the interruption may continue their speech.
- (3) If members are making valedictory statements at 4.00 pm on Wednesday, the Chair will interrupt for the grievance debate and any further valedictory statements will continue after the grievance debate

(Ms Blandthorn) — put and agreed to.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 7.00 pm on Wednesday 21 September 2022:

Disability Amendment Bill 2022

Racing Amendment (Unauthorised Access) Bill 2022

(Ms Blandthorn) — after debate, put and agreed to.

- 15 **STATEMENTS BY MEMBERS** — Members made statements.

- 16 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.

- 17 **DISABILITY AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 18 **QUESTION TIME** — (Under Sessional Order 9).

- 19 **DISABILITY AMENDMENT BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Business was interrupted at 2.50 pm under the resolution of the House today.

- 20 **VALEDICTORY STATEMENTS** — Retiring members made valedictory statements.
- 21 **DISABILITY AMENDMENT BILL 2022** — Debate continued on question — That this Bill be now read a second time.
- Business was interrupted at 7.00 pm under sessional orders.*
- 22 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 178 — Wednesday 21 September 2022

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Masks for school-aged children** — Requesting that the Legislative Assembly calls on the Minister for Education to rescind the expectations that students in years three and above wear masks indoors at school, bearing 298 signatures (*Mr Hodgett*)
- Healesville Freeway Reservation** — Requesting that the Legislative Assembly urges the Government to place a caveat on the Healesville Freeway Reservation so that if it is not needed for a road, it is handed to the Crown for rehabilitation, bearing 205 signatures (*Mr Hodgett*)
- Toolangi State Forest via Two Hills Road, Glenburn** — Requesting that the Legislative Assembly closes the Two Hills Road access point into Toolangi State Forest at Glenburn to limit noise, accidents and other disturbances, bearing 45 signatures (*Ms McLeish*)
- Euroa's Acute Hospital** — Requesting that the Legislative Assembly provides public funding to prevent the closure of the Euroa Acute Hospital and supports the local community with more allied health services, urgent care centre services, and x-ray facilities, bearing 1525 signatures (*Ms Ryan*)
- Hampton Park Hill development plan** — Requesting that the Legislative Assembly intervenes in the Hampton Park Hill development plan to ensure there are no negative impacts on local residents, bearing 350 signatures (*Mr Battin*)
- South Gippsland Highway intersection in Leongatha** — Requesting that the Legislative Assembly calls on the Government to fund design and construction of stage two of the

Leongatha Heavy Vehicle Alternative Route as soon as possible, bearing 180 signatures (*Mr O'Brien, Gippsland South*)

Erosion of Loch Sport foreshore at Lake Victoria — Requesting that the Legislative Assembly calls on the Government to provide urgent funding to address erosion along the Loch Sport foreshore at Lake Victoria, bearing 191 signatures (*Mr O'Brien, Gippsland South*)

Rail network from Cranbourne to Koo Wee Rup — Requesting that the Legislative Assembly calls on the Government to extend the metropolitan rail network from Cranbourne to Koo Wee Rup, bearing 2060 signatures (*Mr Burgess*)

West Gippsland Hospital — Requesting that the Legislative Assembly commits to the funding and delivery of a new West Gippsland Hospital, bearing 2843 signatures (*Mr Blackwood*)

Pedestrian crossings in Yarrawonga — Requesting that the Legislative Assembly — (a) notes the importance of pedestrian safety; and (b) calls on the Government to relocate the newly installed pedestrian crossings in Belmore Street, Yarrawonga away from major intersections, bearing 310 signatures (*Mr McCurdy*)

Invest in Ballarat's roads (two petitions) — Requesting that the Legislative Assembly calls on the Government to invest in maintaining Ballarat's roads and to amend the Road Management Act so that drivers who damage their cars on poorly maintained roads can seek redress, bearing 388 and 214 signatures (*Ms Staley*)

Invest in Mornington Peninsula roads — Requesting that the Legislative Assembly calls on the Government to invest in maintaining Mornington Peninsula roads and to amend the Road Management Act so that drivers who damage their cars on poorly maintained roads can seek redress, bearing 769 signatures (*Ms Staley*)

Ringwood-Warrandyte Road surface — Requesting that the Legislative Assembly calls on the Minister for Roads to take immediate action to re-surface the Ringwood-Warrandyte Road between Kangaroo Ground-Warrandyte Road and Milne Road, bearing 223 signatures (*Mr Smith, Warrandyte*)

Expand and extend the 343 Hurstbridge-Greensborough bus route (two petitions) — Requesting that the Legislative Assembly extends the 343 Hurstbridge-Greensborough bus route to rural communities and amenities, increases the weekday frequency of the service and introduces weekend services, bearing 151 and 479 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 3 **PETITION — INVEST IN BALLARAT'S ROADS (388 SIGNATURES)** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 4 **PETITION — INVEST IN BALLARAT'S ROADS (214 SIGNATURES)** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

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- 5 **PETITION — INVEST IN MORNINGTON PENINSULA ROADS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 6 **PETITION — RINGWOOD-WARRANTYTE ROAD SURFACE** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.
- 7 **PETITION — TOOLANGI STATE FOREST VIA TWO HILLS ROAD, GLENBURN** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 8 **PETITION — EUROA'S ACUTE HOSPITAL** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 9 **PETITION — PEDESTRIAN CROSSINGS IN YARRAWONGA** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 10 **PETITION — SOUTH GIPPSLAND HIGHWAY INTERSECTION IN LEONGATHA** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 11 **PETITION — EROSION OF LOCH SPORT FORESHORE AT LAKE VICTORIA** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 12 **PETITION — MASKS FOR SCHOOL-AGED CHILDREN** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.
- 13 **PETITION — HEALESVILLE FREEWAY RESERVATION** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.
- 14 **PETITION — HAMPTON PARK HILL DEVELOPMENT PLAN** — Motion made and question — That the petition presented by the Member for Gembrook be taken into consideration tomorrow (*Mr Battin*) — put and agreed to.
- 15 **PETITION — RAIL NETWORK FROM CRANBOURNE TO KOO WEE RUP** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.

16 **DOCUMENTS**

SUSTAINABILITY FUND ACTIVITIES REPORT 2021–22 — Tabled by leave (*Ms D'Ambrosio*).

VICTORIAN GOVERNMENT ABORIGINAL AFFAIRS REPORT 2021 — Tabled by leave (*Ms Williams*).

VICTORIAN 2021 CLOSING THE GAP DATA TABLES — Tabled by leave (*Ms Williams*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents under Acts of Parliament:

Advancing the Treaty Process with Aboriginal Victorians Act 2018 — Advancing the Victorian Treaty Process Report 2021–22

Auditor-General:

Follow-up of Maintaining the Mental Health of Child Protection Practitioners — Ordered to be published

Major Projects Performance Reporting 2022 — Ordered to be published

Quality of Child Protection Data — Ordered to be published

Quality of Major Transport Infrastructure Project Business Cases — Ordered to be published Report 2021–22

Eastern Health — Report 2021–22

Education and Training, Department of — Report 2021–22

Environment, Land, Water and Planning, Department of — Report 2021–22

Families, Fairness and Housing, Department of — Report 2021–22

First Peoples' Assembly of Victoria — Report 2021–22

Goulburn-Murray Rural Water Corporation — Report 2021–22

Greater Western Water Corporation — Report 2021–22

Health, Department of — Report 2021–22

Justice and Community Safety, Department of — Report 2021–22

Local Jobs First — Report 2021–22

Melbourne Health (Royal Melbourne Hospital) — Report 2021–22

Melbourne Port Lessor Pty Ltd — Report 2021–22

Melbourne Water Corporation — Report 2021–22

Monash Health — Report 2021–22

National Gallery of Victoria — Report 2021–22

Occupational Health and Safety Act 2004 — Report of requests under s 11

Parliamentary Committees Act 2003 — Government responses to the Public Accounts and Estimates Committee's:

Report on the 2020–21 Financial and Performance Outcomes
Inquiry into Gender Responsive Budgeting

Premier and Cabinet, Department of — Report 2021–22

Public Record Office Victoria (PROV) — Report 2021–22

Respect Victoria:

Progress on Preventing Family Violence and Violence Against Women in Victoria — First
Three-Yearly Report to Parliament
Report 2021–22

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2021–22

Royal Children's Hospital — Report 2021–22

South East Water Corporation — Report 2021–22

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 83,
84, 87

Surveyor-General — Report 2021–22 on the administration of the *Survey Co-ordination
Act 1958*

Transport, Department of — Report 2021–22

Transport Accident Commission (TAC) — Report 2021–22

Treasury Corporation of Victoria — Report 2021–22

Victoria Police:

Report 2021–22

Report 2021–22 under s 37F of the *Terrorism (Community Protection) Act 2003*

Victorian Gambling and Casino Control Commission — Report 2021–22

Victorian Law Reform Commission — Stalking — Final Report — Ordered to be published

Victorian Managed Insurance Authority (VMIA) — Report 2021–22

Victorian Rail Track (VicTrack) — Report 2021–22

Victorian Veterans Council — Report 2021–22

Victorian WorkCover Authority (WorkSafe Victoria) — Report 2021–22

Voluntary Assisted Dying Review Board — Report of operations 2021–22

Yarra Valley Water Corporation — Report 2021–22.

- 17 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Casino Legislation Amendment (Royal Commission Implementation and Other Matters) Bill 2022

Early Childhood Legislation Amendment Bill 2022

Major Crime and Community Safety Legislation Amendment Bill 2022

Monitoring of Places of Detention by the United Nations Subcommittee on Prevention of Torture (OPCAT) Bill 2022.

- 18 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until a day and hour to be fixed by the Speaker, who will notify members accordingly (*Ms Blandthorn*) — put and agreed to.

- 19 **STATEMENTS BY MEMBERS** — Members made statements.

- 20 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

- 21 **DISABILITY AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **RACING AMENDMENT (UNAUTHORISED ACCESS) BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business was interrupted at 2.00 pm under sessional orders.

- 23 **QUESTION TIME** — (Under Sessional Order 9).

Business was interrupted at 2.50 pm under the resolution of the House on Tuesday 20 September 2022.

- 24 **VALEDICTORY STATEMENTS** — Retiring members made valedictory statements.

Business was interrupted at 4.27 pm under sessional orders and delayed, by leave, until the completion of valedictory statements.

- 25 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 26 **QUESTION TIME** — continued.

- 27 **RACING AMENDMENT (UNAUTHORISED ACCESS) BILL 2022** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 20 September 2022 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Ms Edwards, in the Chair) —

AYES 70

Juliana Addison; Jacinta Allan; Daniel Andrews; Brad Battin; Gary Blackwood; Lizzie Blandthorn; Chris Brayne; Roma Britnell; Colin Brooks; Josh Bull; Tim Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Sarah Connolly; Christine Couzens; Jordan Crugnale; Ali Cupper; Lily D'Ambrosio; Paul Edbrooke; John Eren; Will Fowles; Matt Fregon; Danielle Green; Matthew Guy; Bronwyn Halfpenny; Katie Hall; Dustin Halse; Paul Hamer; Jill Hennessy; David Hodgett; Melissa Horne; Natalie Hutchins; Marlene Kairouz; Emma Kealy; John Kennedy; Sonya Kilkenny; Gary Maas; Tim McCurdy; Stephen McGhie; Frank McGuire; Cindy McLeish; David Morris; Lisa Neville; James Newbury; Danny O'Brien; Michael O'Brien; Martin Pakula; Tim Pallas; Pauline Richards; Tim Richardson; Richard Riordan; Brad Rowswell; Steph Ryan; Robin Scott; Michaela Settle; Suzanna Sheed; David Southwick; Ros Spence; Nick Staikos; Louise Staley; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Kat Theophanous; Mary-Anne Thomas; Peter Walsh; Vicki Ward; Kim Wells; Richard Wynne.

NOES 3

Sam Hibbins; Tim Read; Ellen Sandell.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 28 **DISABILITY AMENDMENT BILL 2022** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business was interrupted at 7.07 pm under sessional orders.

- 29 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.51 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker