



# LEGISLATIVE COUNCIL

## MINUTES OF THE PROCEEDINGS

### No. 56 — Tuesday, 17 March 2020

*Proof Version*

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- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **ASSENT TO ACT** — The President read a Message from the Governor informing the Council that she had, this day, given the Royal Assent to the following Act presented to her by the Clerk of the Parliaments:

*Road Safety and Other Legislation Amendment Act 2020.*

- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — Questions without notice were taken and Ministers' Statements were made pursuant to Sessional Order 13.

**COVID-19 SMALL BUSINESS STIMULUS PACKAGE** — Mr Somyurek having given answers to a question without notice and supplementary question relating to COVID-19 small business stimulus package —

On the motion of Mr Davis, the Minister's answers were ordered to be taken into consideration on the next day of meeting.

**QUESTIONS** — Questions without notice and Ministers' Statements continued and answers to certain questions on notice were circulated pursuant to Standing Order 8.12.

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**QUESTIONS DIRECTED FOR WRITTEN RESPONSE** — The President directed written responses be provided to questions without notice pursuant to Standing Order 8.07 as follows:

- **COVID-19 testing kits** — supplementary question asked by Ms Crozier — response from Ms Mikakos due Thursday, 19 March 2020.
- **COVID-19 impact on housing and homelessness** — substantive and supplementary questions asked by Dr Ratnam — response from Mr Jennings due Thursday, 19 March 2020.
- **Average waiting time for COVID-19 testing** — substantive question asked by Ms Crozier — response from Ms Mikakos due Wednesday, 18 March 2020.

- 4 **CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08.

- 5 **PAPERS** —

**WHITTLESEA CITY COUNCIL MUNICIPAL MONITOR'S REPORT** — Mr Somyurek moved, by leave, That there be laid before this House a copy of the Municipal Monitor's Report on the Governance and Operations of the City of Whittlesea, March 2020.

Question — put and agreed to.

The Report was presented by Mr Somyurek and ordered to lie on the Table and be published.

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — ALERT DIGEST** — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Ms Patten presented Alert Digest No. 4 of 2020 (including Appendices) from the Scrutiny of Acts and Regulations Committee.  
Ordered to be published.

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**MID-YEAR FINANCIAL REPORT 2019-20** — Pursuant to section 27D(6)(c) of the *Financial Management Act 1994*, the Clerk laid on the Table a copy of the 2019-20 Mid-Year Financial Report (incorporating Quarterly Financial Report No. 2).

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**PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk:

- Crown Land (Reserves) Act 1978 — Minister's Order of 19 November 2019 giving approval to the granting of a lease at Mt Buninyong Scenic Reserve.
- Interpretation of Legislation Act 1984 — Notice pursuant to section 32(3) in relation to Statutory Rule No. 116/2019 (*Gazette S118, 11 March 2020*).
- Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by Members of the Legislative Council — Ordinary Returns, 28 February 2020 (*Ordered to be published*).
- Public Health and Wellbeing Act 2008 — Report to Parliament on the Declaration of the State of Emergency, pursuant to section 198(8) of the Act.
- Statutory Rules under the following Acts of Parliament —
  - County Court Act 1958 — No. 16.
  - Drugs, Poisons and Controlled Substances Act 1981 — No. 15.
  - Members of Parliament (Standards) Act 1978 — No. 17.
- Subordinate Legislation Act 1994 —
  - Documents under section 15 in respect of Statutory Rule Nos. 13 to 16.
  - Legislative instruments and related documents under section 16B in respect of the Identity Verification Standards of 18 February 2020, under the Service Victoria Act 2018.

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**PROCLAMATIONS** — Proclamations of the Governor in Council fixing operative dates in respect of the following Acts were laid on the Table by the Clerk:

- Environment Protection Amendment Act 2018 — Remaining Provisions — 1 July 2020 (*Gazette No. S104, 3 March 2020*).
- Land (Revocation of Reservations) Act 2019 — Whole Act — 17 March 2020 (*Gazette No. S122, 11 March 2020*).

**6 BUSINESS OF THE COUNCIL** — Mr Quilty moved, by leave, That precedence be given to the following General Business on Wednesday, 18 March 2020 —

- (1) Notice of Motion No. 282, in an amended form, standing in the name of Mr Bourman in relation to water trading declarations;
- (2) Notice of Motion No. 250, standing in the name of Mr Bourman in relation to the production of certain documents relating to duck hunting;
- (3) the notice of motion given this day by Mr Quilty in relation to the Independent Broad-based Anti-corruption Commission;
- (4) the notice of motion given this day by Mr Quilty in relation to vaping;
- (5) the notice of motion given this day by Mr Davis in relation to contaminated soil in Bacchus Marsh; and
- (6) the notice of motion given this day by Mr Rich-Phillips in relation to the State Budget.

Question — put and agreed to.

**7 BUSINESS OF THE COUNCIL** — Mr Jennings moved, by leave, That Standing and Sessional Orders be suspended to the extent necessary to provide that on Wednesday, 18 March 2020 the Order of Business will be —

Messages

Formal Business  
 Members' Statements (up to 15 Members)  
 General Business  
 At **12 noon** Questions  
 Answers to Questions on Notice  
 General Business (continues)  
 At **5.15 p.m.** Statements on reports, papers and petitions (30 minutes)  
 Dr Bach's Inaugural Speech  
 Government Business (60 minutes)  
 Adjournment (up to 20 members).

Question — put and agreed to.

- 8 MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13.
- 9 BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 196 to 276, and Order of the Day, Government Business, No. 1, be postponed until later this day.
- 10 HEALTH SERVICES AMENDMENT (MANDATORY VACCINATION OF HEALTHCARE WORKERS) BILL 2020** — Debate resumed on the question, That the Bill be now read a second time.

Question — put and agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Bill reported without amendment, the Report was adopted, and the Bill was read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

- 11 LOCAL GOVERNMENT (WHITTLESEA CITY COUNCIL) BILL 2020** — The Acting President read a Message from the Assembly presenting *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 requesting the agreement of the Council.

On the motion of Ms Mikakos (for Mr Somyurek), the Bill was read a first time and ordered to be read a second time on the next day of meeting.

- 12 LOCAL GOVERNMENT BILL 2019** — The Acting President read a Message from the Assembly informing the Council that they had agreed to the amendments made by the Council in this Bill.
- 13 NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2020** — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Rich-Phillips were circulated.

Question — put.

The Council divided — The President in the Chair.

AYES, 21

Mr Barton; Dr Cumming; Mr Erdogan; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.  
*(Tellers: Mr Meddick and Ms Vaghela)*

NOES, 13

Mr Atkinson; Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Limbrick; Ms Lovell; Ms Maxwell; Mr Quilty; Mr Rich-Phillips.  
*(Tellers: Ms Bath and Mr Finn)*

Question agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Bill reported without amendment, the Report was adopted.

Mr Jennings moved, That the Bill be now read a third time.

Question — That the Bill be now read a third time and do pass — put.

The Council divided — The President in the Chair.

AYES, 21

Mr Barton; Dr Cumming; Mr Erdogan; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.  
(*Tellers: Dr Cumming and Mr Erdogan*)

NOES, 13

Mr Atkinson; Ms Bath; Mr Bourman; Mr Davis; Mr Finn; Mr Grimley; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Ondarchie; Mr Quilty; Mr Rich-Phillips.  
(*Tellers: Mr Grimley and Mr Ondarchie*)

Question agreed to.

Bill read a third time.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

**14 ADJOURNMENT** — Ms Pulford moved, That the House do now adjourn.

Debate ensued and responses to certain Adjournment matters were circulated pursuant to Standing Order 4.13.

And then the Council, at 6.47 p.m., adjourned until tomorrow.

ANDREW YOUNG  
*Clerk of the Legislative Council*