



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

Nos. 102, 103 and 104

No. 102 — Tuesday, 4 May 2021

- 1 The President took the Chair at 11.04 a.m., read the Prayer and made an Acknowledgement of Country.
- 2 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE MEMBERSHIP** — The President read a letter from Mrs McArthur, resigning from the Scrutiny of Acts and Regulations Committee, effective from Monday, 3 May 2021.
- 3 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE MEMBERSHIP** — The President read a letter from Ms Vallence, Member for Evelyn, resigning from the Public Accounts and Estimates Committee, effective from Tuesday, 4 May 2021.
- 4 **RESCIND AND AMEND TEMPORARY ORDERS** — Ms Symes moved, by leave, That —
 - (1) the Temporary Orders agreed to by the House on 15 September 2020 relating to the definition of the Chamber, discretion in ringing the bells to form a quorum and incorporation of business and speeches for bills in Hansard, be rescinded, effective immediately; and
 - (2) the Temporary Order agreed to by the House on 2 February 2021 relating to the days and hours of meeting be amended to allow the meeting of the Council on a Tuesday to commence at 11.30 a.m.

Debate ensued.

Question — put and agreed to.

- 5 **ADDRESS TO HER MAJESTY THE QUEEN — DEATH OF HIS ROYAL HIGHNESS THE DUKE OF EDINBURGH** — Ms Symes moved, by leave, That —
 - (1) the following resolution be agreed to by this House:

Her Majesty the Queen:

We, the Legislative Council 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 Council of Victoria, in Parliament assembled, respectfully request that you communicate the accompanying resolution to Her Majesty the Queen.

And other Members having addressed the House, the question was put and agreed to unanimously with Members standing in their places.

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

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:

- **Game Management Authority – duck hunting recommendations** — substantive question asked by Mr Meddick — response from Ms Tierney due Thursday, 6 May 2021.
- **Term of Family Violence Monitor** — substantive and supplementary questions asked by Mr O'Donohue — response from Ms Stitt due Thursday, 6 May 2021.
- **Belt and Road Initiative Agreement** — substantive and supplementary questions asked by Mr Davis — response from Ms Symes due Thursday, 6 May 2021.
- **Council planning decisions** — substantive and supplementary questions asked by Mr Hayes — response from Ms Stitt due Thursday, 6 May 2021.

7 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08.

8 PETITIONS —

FUNDING TO FIX THE BOX HILL INTERCHANGE — Dr Bach presented a Petition bearing 37 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to commit to allocating the funding required to fix and upgrade the Box Hill Transit Interchange and provide plans and dates on when and how this will occur.

Ordered to lie on the Table.

On the motion of Dr Bach, the petition was ordered to be taken into consideration on the next day of meeting.

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CEASE BILLS STREET DEVELOPMENT IN HAWTHORN — Ms Crozier presented a Petition bearing 178 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to immediately stop the fast-tracked development of over 200 dwellings on Bills Street in Hawthorn and urgently undertake comprehensive consultation with the local community.

Ordered to lie on the Table.

On the motion of Ms Crozier, the petition was ordered to be taken into consideration on the next day of meeting.

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POLICE STATION FOR WYNDHAM VALE AND MANOR LAKES — Dr Cumming presented a Petition bearing 1,227 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Minister for Police and Emergency Services, the Premier and the Chief Commissioner of Police to facilitate the build of a police station in the areas of Wyndham Vale and Manor Lakes.

Ordered to lie on the Table.

On the motion of Dr Cumming, the petition was ordered to be taken into consideration on the next day of meeting.

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ABOLISH SUPPRESSION ORDERS — Mr Grimley presented a Petition bearing 117 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to abolish suppression orders entirely.

Ordered to lie on the Table.

On the motion of Mr Grimley, the petition was ordered to be taken into consideration on the next day of meeting.

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BAN FACTORY FARMS — Mr Meddick presented a Petition bearing 1,314 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to introduce and pass legislation to allow for a state-wide plebiscite on the issue of factory farming, so Victorians can vote against factory farming and avoid another zoonotic disease outbreak.

Ordered to lie on the Table.

On the motion of Mr Meddick, the petition was ordered to be taken into consideration on the next day of meeting.

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REJECT WASTE-TO-ENERGY PLANTS — Dr Ratnam presented a Petition bearing 757 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to reject all active waste-to-energy applications and instead add and promote recycling programs, similar to Wangaratta where there has been great success with minimal contamination, and develop government, business and community recycling partnerships.

Ordered to lie on the Table.

On the motion of Dr Ratnam, the petition was ordered to be taken into consideration on the next day of meeting.

9 VOLUNTARY ASSISTED DYING AMENDMENT (TELEHEALTH AND OTHER MATTERS) BILL 2021 — Mr Grimley introduced *A Bill for an Act to amend the Voluntary Assisted Dying Act 2017 to permit certain matters to be dealt with by means of audio visual communication and for other purposes.*

On the motion of Mr Grimley, the Bill was read a first time and ordered to be read a second time on the next day of meeting.

10 PAPERS —

UNIVERSITY OF DIVINITY REPORT, 2020 — Ms Tierney moved, by leave, That there be laid before this House a copy of the University of Divinity Report, 2020.

Question — put and agreed to.

The Report was presented by Ms Tierney and ordered to lie on the Table.

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SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — ALERT DIGEST — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Mr Gepp presented Alert Digest No. 5 of 2021 (including Appendices) from the Scrutiny of Acts and Regulations Committee.

Ordered to be published.

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IBAC — SPECIAL REPORT ON OPERATION MEROO: AN INVESTIGATION INTO ALLEGED CORRUPT CONDUCT BY A FORMER CEO OF A VICTORIAN REGIONAL HEALTH SERVICE — Pursuant to section 162(12)(c) of the *Independent Broad-based Anti-corruption Commission Act 2011*, and following the transmission of the report on 30 April 2021, the Clerk laid on the Table a copy of the Independent Broad-based Anti-corruption Commission's Special report on Operation Meroo: An investigation into alleged corrupt conduct by a former CEO of a Victorian regional health service, April 2021.

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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:

Bendigo Kangan Institute — Report, 2020.

Box Hill Institute — Report, 2020.

Chisholm Institute — Report, 2020.

Deakin University — Report, 2020.

Federation University Australia — Report, 2020.

Goulburn Ovens Institute of TAFE (GOTAFE) — Report, 2020.

Holmesglen Institute — Report, 2020.

La Trobe University — Report, 2020.

Melbourne Polytechnic — Report, 2020.

Monash University — Report, 2020.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes —

Melbourne Planning Scheme — Amendment C378.

Victoria Planning Provisions — Amendment VC185.

Royal Melbourne Institute of Technology (RMIT University) — Report, 2020.

South West Institute of TAFE — Report, 2020.

Statutory Rules under the following Acts of Parliament —

- Disability Service Safeguards Act 2018 — No. 40.
- Evidence (Miscellaneous Provisions) Act 1958 — No. 39.
- Magistrates' Court Act 1989 — No. 41.

Subordinate Legislation Act 1994 —

Documents under section 15 in respect of Statutory Rule No. 41.

Legislative instrument and related documents under section 16B in respect of an Order to declare a class of entities as specified entities of 10 April 2021, under the Financial Management Act 1994.

Sunraysia Institute of TAFE (SuniTAFE) — Report, 2020.

Swinburne University of Technology — Report, 2020.

TAFE Gippsland — Report, 2020.

GOTEC Limited (The Gordon) — Report, 2020.

The University of Melbourne — Report, 2020.

Victoria University — Report, 2020.

William Angliss Institute of TAFE — Report, 2020.

Wodonga Institute of TAFE — Report, 2020.

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PROCLAMATION — A Proclamation of the Governor in Council fixing an operative date in respect of the following Act was laid on the Table by the Clerk:

Parks and Crown Land Legislation Amendment Act 2020 — Remaining Provisions of Parts 3, 6 and 7 and Part 10 — 1 May 2021 (*Gazette No. S189, 27 April 2021*).

11 PRODUCTION OF DOCUMENTS — DECISION TO IMPOSE A COVID-19 CURFEW —

The Clerk laid on the Table a letter from the Attorney-General, dated 3 May 2021, in response to the Resolution of the Council of 16 September 2020 (on the motion of Mr Davis), and further to the Government's initial response of 18 September 2020, relating to the decision to impose a COVID-19 curfew, identifying 11 documents within the scope of the order, claiming Executive privilege over six documents in full and providing five documents, together with schedules of the identified documents.

12 PRODUCTION OF DOCUMENTS — 2021 DUCK HUNTING SEASON —

The Clerk laid on the Table a letter from the Attorney-General, dated 26 April 2021, in response to the Resolution of the Council of 17 March 2021 (on the motion of Mr Bourman), relating to the 2021 Duck Hunting Season, advising that there was insufficient time to respond and that a final response to the Order would be provided as soon as possible.

13 BUSINESS OF THE COUNCIL — Dr Ratnam moved, by leave, That precedence be given to the following General Business on Wednesday, 5 May 2021 —

- (1) Order of the Day No. 2, second reading of the Emergency Powers Safeguards Legislation Amendment Bill 2021;
- (2) Notice of Motion No. 533 standing in the name of Ms Lovell on the production of documents relating to a review of discrimination, sexual harassment and victimisation in the Country Fire Authority and Metropolitan Fire Brigade;
- (3) Order of the Day No. 52, resumption of debate on the motion calling for the production of documents relating to advice received by the Minister for Transport Infrastructure on CRRC Changchun Railway Vehicles Company Limited;
- (4) the notice of motion given this day by Mr Quilty on payroll tax;
- (5) the notice of motion given this day by Dr Ratnam on group voting tickets;
- (6) the notice of motion given this day by Dr Ratnam on implementing the recommendations of the Royal Commission into Aboriginal Deaths in Custody; and
- (7) Notice of Motion No. 474 standing in the name of Ms Patten on implementing petition reform.

Question — put and agreed to.

14 MEMBERS' STATEMENTS — Statements were made by Members pursuant to Standing Order 5.13.

- 15 BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 438 to 447, be postponed until later this day.
- 16 WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (ARBITRATION) BILL 2021** — 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.
- Ms Stitt moved, That the Bill be now read a third time.
- Mr Rich-Phillips moved, as a reasoned amendment, That all the words after “That” be omitted and replaced with the words “this Bill not be read a third time until a statement under section 85(5) of the *Constitution Act 1975* explaining how the Bill limits the jurisdiction of the Supreme Court as proposed by clause 35, which proposes to insert a new section 301Z into the Principal Act, has been made.”.
- Debate ensued.
- Question — That the reasoned amendment moved by Mr Rich-Phillips be agreed to — put and negatived.
- Question — That the Bill be now read a third time and do pass — put and 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.
- 17 ADJOURNMENT** — Ms Stitt 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 5.39 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council

No. 103 — Wednesday, 5 May 2021

- 1** The President took the Chair at 9.34 a.m., read the Prayer and made an Acknowledgement of Country.
- 2 PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk:
- Auditor-General’s Report on Implementing a New Infringements Management System, May 2021 (*Ordered to be published*).
 - Falls Creek Alpine Resort Management Board — Minister’s report of failure to submit the 2020-21 report, together with an explanation for the delay.
 - Mount Buller and Mount Stirling Alpine Resort Management Board — Minister’s report of failure to submit the 2020-21 report, together with an explanation for the delay.
 - Mount Hotham Alpine Resort Management Board — Minister’s report of failure to submit the 2020-21 report, together with an explanation for the delay.
 - Southern Alpine Resort Management Board — Minister’s report of failure to submit the 2020-21 report, together with an explanation for the delay.
 - Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 32, 39 and 40.
- 3 MEMBERS’ STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13.

- 4 EMERGENCY POWERS SAFEGUARDS LEGISLATION AMENDMENT BILL 2021** — Mr Quilty laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Mr Quilty moved, That the Bill be now read a second time.

On the motion of Ms Taylor, the debate was adjourned for two weeks.

- 5 PRODUCTION OF DOCUMENTS — REVIEW OF DISCRIMINATION, SEXUAL HARASSMENT AND VICTIMISATION IN THE COUNTRY FIRE AUTHORITY AND METROPOLITAN FIRE BRIGADE** — Ms Lovell moved, That this House, in accordance with Standing Order 11.01, requires the Leader of the Government to table in the Council, within 14 calendar days of the House agreeing to this resolution, the Victorian Equal Opportunity and Human Rights Commission's review into the nature, prevalence, drivers and impacts of discrimination, sexual harassment and victimisation in the Country Fire Authority and Metropolitan Fire Brigade (MFB) as was briefed to the Government and the Board of the MFB in January 2018.

Debate ensued.

Question — put and agreed to.

- 6 BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, General Business, No. 2, be postponed until later this day.

- 7 PAYROLL TAX** — Mr Quilty moved, That this House notes that —

- (1) a recent report from the Australian Taxpayers' Alliance calculates that the total cost of taxes paid by Victorians earning minimum wage equates to 56 per cent of their income;
- (2) payroll tax alone costs Victoria's minimum wage workers \$1,858 a year, which equates to \$35.73 a week;
- (3) payroll tax is a tax on jobs and that the costs of payroll tax are passed on through lower wages, lower employment, and higher prices for goods and services;
- (4) in 2007, Sweden reduced its payroll taxes which created 18,100 new jobs and increased wages;

and calls on the Government to support working Australians by reducing payroll tax.

Debate ensued.

Business having been interrupted at 12.00 noon pursuant to Sessional Orders —

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

HOTEL QUARANTINE SAFETY STANDARDS — Ms Stitt having given answers to a question without notice and supplementary question relating to hotel quarantine safety standards —

On the motion of Ms Crozier, 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.

HOTEL QUARANTINE SAFETY INQUIRY — Ms Stitt having given answers to a question without notice and supplementary question relating to the Hotel Quarantine Safety Inquiry —

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.

HOTEL QUARANTINE AIR CONDITIONER SAFETY — Ms Stitt having given answers to a question without notice and supplementary question relating to hotel quarantine air conditioner safety —

On the motion of Ms Crozier, 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.

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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:

- **Timber harvesting** — substantive and supplementary questions asked by Mr Bourman — response from Ms Tierney due Friday, 7 May 2021.

- **Hotel quarantine safety standards** — supplementary question asked by Ms Crozier — response from Ms Stitt due Thursday, 6 May 2021.
- **Duck hunting data** — substantive question asked by Mr Meddick — response from Ms Tierney due Friday, 7 May 2021.

9 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08.

10 PAYROLL TAX — Debate continued on the question, That this House notes that —

- (1) a recent report from the Australian Taxpayers' Alliance calculates that the total cost of taxes paid by Victorians earning minimum wage equates to 56 per cent of their income;
- (2) payroll tax alone costs Victoria's minimum wage workers \$1,858 a year, which equates to \$35.73 a week;
- (3) payroll tax is a tax on jobs and that the costs of payroll tax are passed on through lower wages, lower employment, and higher prices for goods and services;
- (4) in 2007, Sweden reduced its payroll taxes which created 18,100 new jobs and increased wages;

and calls on the Government to support working Australians by reducing payroll tax.

Question — put and agreed to.

11 GROUP VOTING TICKETS — Dr Ratnam moved, That this House —

- (1) notes that in a representative democracy like Victoria, the will of the people should be reflected by the elected Members of Parliament;
- (2) acknowledges that the use of group voting tickets in the election of Members of the Legislative Council is unfair and unrepresentative as it allows for parties that are not representative of the voters to be elected, for example —
 - (a) the recent election of the Daylight Savings Party in Western Australia with 98 first preference votes or 0.2 per cent of the vote;
 - (b) the election of the Transport Matters Party to the Eastern Metropolitan Region on 0.6 per cent of first preference votes at the 2018 Victorian election;
 - (c) the election of the Liberal Democrats Party to the South Eastern Metropolitan Region on 0.8 per cent of first preference votes at the 2018 Victorian election;
- (3) condemns the practice of 'preference whispering', whether for payment or not, whereby micro-party preferences are manipulated to deliberately produce unrepresentative outcomes;

and calls on the Government to introduce reforms to the voting system for the Legislative Council to remove group voting tickets and ensure greater democratic representation in the Victorian Parliament in time for the 2022 Victorian State election.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 1

Dr Ratnam.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 37

Mr Atkinson; Dr Bach; Mr Barton; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Mr O'Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlami; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question negatived.

12 BUSINESS POSTPONED — Ordered — That the consideration of Notice of Motion, General Business, No. 546, be postponed until later this day.

13 PROCEDURE COMMITTEE — INQUIRY INTO PETITION REFORM — Ms Patten moved, That this House —

- (1) recognises that —
 - (a) the ability to petition the Parliament is a right of all Victorian citizens;
 - (b) petitions are the only way an individual or group of citizens can directly place grievances before the Parliament;
 - (c) petitions provide an important tool for improving community engagement with the political process;
- (2) notes that —
 - (a) a petition is a citizen's request for action but once a copy of the petition has been referred to a Minister by the Clerk, no further action is required, which is a flaw in the parliamentary system of democracy;
 - (b) the Australian House of Representatives has a Standing Committee on Petitions which receives and processes petitions on behalf of the House and is able to inquire into and report on matters relating to petitions following their tabling;
 - (c) the process for petitions in the Victorian Parliament requires urgent reform;
- (3) requires the Procedure Committee to inquire into, consider and report by Friday, 20 August 2021, on any Sessional or Standing Order changes that would provide reform of petitions, including appropriate measures to require the —
 - (a) relevant Minister to table a written response to a petition within 14 days of it being tabled in the House;
 - (b) Legislative Council to debate the issue raised in a petition upon reaching a certain threshold of petitioners that is to be fixed by the House;

and calls on the Government to implement petition reform no later than 16 September 2021.

Debate ensued.

Business having been interrupted at 5.15 p.m. pursuant to Sessional Orders, the debate stood adjourned in the name of Mr Davis.

14 STATEMENTS ON REPORTS, PAPERS AND PETITIONS — Statements on reports, papers and petitions were made by Members pursuant to Sessional Order 16.

15 ADJOURNMENT — Mr Leane 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 6.27 p.m., adjourned until tomorrow.

ANDREW YOUNG

Clerk of the Legislative Council

No. 104 — Thursday, 6 May 2021

1 The President took the Chair at 10.05 a.m., read the Prayer and made an Acknowledgement of Country.

2 PETITIONS —

REVISE TIMELINE FOR STAGE 2 OF THE HURSTBRIDGE LINE UPGRADE — Mr Atkinson presented a Petition bearing 192 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Minister for Transport Infrastructure and the Minister for the Suburban Rail Loop, the Hon Jacinta Allan MP, to direct the Level Crossing Removal Project (LXRP) team to revise the project timeline for Stage 2 of the Hurstbridge Line Upgrade Project to allow the community and LXRP to work together to develop the best possible design for their local station and environment.

Ordered to lie on the Table.

On the motion of Mr Atkinson, the petition was ordered to be taken into consideration on the next day of meeting.

END NAPLAN IN VICTORIAN SCHOOLS — Dr Ratnam presented a Petition bearing 250 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to renegotiate the bilateral agreement with the Commonwealth Government so that Victorian schools are no longer bound under the terms of that agreement to take part in the National Assessment Program – Language and Numeracy (NAPLAN), and call on the Department of Education and Training to mandate that schools take action to inform parents that they can opt their children out of NAPLAN with no adverse consequences on their child's education.

Ordered to lie on the Table.

On the motion of Dr Ratnam, the petition was ordered to be taken into consideration on the next day of meeting.

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

Crimes (Assumed Identities) Act 2004 — Report, 2019-20, by the Independent Broad-based Anti-corruption Commission, under section 31 of the Act.

Family Violence Reform Implementation Monitor Act 2016 — Report of the Family Violence Reform Implementation Monitor: As at 1 November 2020 (*Ordered to be published*).

Land Tax Act 2005 — Treasurer's Report for 1 July 2020 to 31 December 2020 of Land Tax Absentee Owner Surcharge Exemptions, under sections 3B and 3BA of the Act.

4 SITTING OF THE COUNCIL — Ms Symes moved, That the Council, at its rising, adjourn until Tuesday, 25 May 2021.

Question — put and agreed to.

5 LEGAL AND SOCIAL ISSUES COMMITTEE — EXTENSION TO REPORTING DATE — INQUIRY INTO THE USE OF CANNABIS IN VICTORIA — Dr Kieu moved, by leave, That the Resolutions of the Council of 30 May 2019, 13 November 2019 and 16 June 2020, requiring the Legal and Social Issues Committee to inquire into, consider and report on the use of cannabis in Victoria, be amended so as to now require the Committee to present its report no later than 5 August 2021.

Question — put and agreed to.

6 MEMBERS' STATEMENTS — Statements were made by Members pursuant to Standing Order 5.13.

7 BUSINESS POSTPONED — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 438 to 447, be postponed until later this day.

8 CEMETERIES AND CREMATORIA AMENDMENT BILL 2021 — Debate resumed on the question, That the Bill be now read a second time.

Business having been interrupted at 12.00 noon pursuant to Sessional Orders —

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

TAFE FUNDING — Ms Tierney having given a Minister's Statement relating to TAFE funding — On the motion of Dr Bach, by leave, the Minister's Statement was ordered to be taken into consideration on the next day of meeting.

QUESTIONS — Questions without notice and Ministers' Statements continued.

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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:

- **Premier's office – staffing matter** — substantive and supplementary questions asked by Mr O'Donohue — response from Ms Symes due Monday, 10 May 2021.
- **Homelessness funding – Federal Government** — substantive question asked by Mr Barton — response from Ms Stitt due Monday, 10 May 2021.
- **COVID-19 checks at Tullamarine Airport** — substantive and supplementary questions asked by Dr Cumming — response from Ms Symes due Monday, 10 May 2021.

- **Fines revenue write-offs** — substantive question asked by Mr O'Donohue — response from Ms Symes due Friday, 7 May 2021.

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QUESTION DIRECTED FOR FURTHER WRITTEN RESPONSE — The President directed a further written response be provided to questions without notice pursuant to Sessional Order 14 as follows:

- **Belt and Road Initiative Agreement** — substantive and supplementary questions asked by Mr Davis on Tuesday, 4 May 2021 — response from Ms Symes due Monday, 10 May 2021.

10 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08.

11 CEMETERIES AND CREMATORIA AMENDMENT BILL 2021 — Debate continued 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.

12 DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT 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.

13 CEMETERIES AND CREMATORIA AMENDMENT BILL 2021 — The President announced that he had received a report from the Clerk notifying that he had made the following correction in this Bill in accordance with Standing Order 14.33:

In Clause 11, sub-clause 2, line 16, insert a close bracket, changing (b to (b).

14 ECONOMY AND INFRASTRUCTURE COMMITTEE MEMBERSHIP — Ms Tierney moved, by leave, That Ms Shing and Ms Vaghela be participating members of the Standing Committee on the Economy and Infrastructure.

Question — put and agreed to.

Mr Davis moved, by leave, That Mr O'Donohue be a participating member of the Standing Committee on the Economy and Infrastructure.

Question — put and agreed to.

15 NON-EMERGENCY PATIENT TRANSPORT AMENDMENT BILL 2021 — The President read a Message from the Assembly presenting *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 requesting the agreement of the Council.

On the motion of Ms Tierney (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Tierney laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Ms Tierney, the second reading speech was incorporated into Hansard.

Ms Tierney moved, That the Bill be now read a second time.

On the motion of Mr Ondarchie (for Ms Crozier), the debate was adjourned for one week.

- 16 TRANSPORT LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2021** — The President read a Message from the Assembly presenting *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 requesting the agreement of the Council.

On the motion of Ms Tierney (for Ms Pulford), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Tierney laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Ms Tierney, the second reading speech was incorporated into Hansard.

Ms Tierney moved, That the Bill be now read a second time.

On the motion of Mr Ondarchie (for Mr Davis), the debate was adjourned for one week.

- 17 ZERO AND LOW EMISSION VEHICLE DISTANCE-BASED CHARGE BILL 2021** — The President read a Message from the Assembly presenting *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 requesting the agreement of the Council.

On the motion of Ms Tierney (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Tierney laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Ms Tierney, the second reading speech was incorporated into Hansard.

Ms Tierney moved, That the Bill be now read a second time.

On the motion of Mr Ondarchie (for Mr Rich-Phillips), the debate was adjourned for one week.

- 18 ADJOURNMENT** — Ms Tierney 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 6.30 p.m., adjourned until Tuesday, 25 May 2021.

ANDREW YOUNG
Clerk of the Legislative Council

COMMITTEE OF THE WHOLE COUNCIL

Supplement to Minutes Nos. 102, 103 and 104

WORKPLACE INJURY REHABILITATION AND COMPENSATION AMENDMENT (ARBITRATION) BILL 2021

Committed Tuesday, 4 May 2021

Clauses 1 to 47 — put and agreed to.

Bill reported without amendment.

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CEMETERIES AND CREMATORIA AMENDMENT BILL 2021

Committed Thursday, 6 May 2021

Clauses 1 to 17 — put and agreed to.

Bill reported without amendment.

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DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2020

Committed Thursday, 6 May 2021

Clauses 1 to 5 — put and agreed to.

Bill reported without amendment.

