



# LEGISLATIVE COUNCIL

## MINUTES OF THE PROCEEDINGS

### No. 46 — Thursday, 28 November 2019

*Proof Version*

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- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
  - 2 **PETITION — ASSESSMENT OF THE MURRAY-DARLING BASIN PLAN** — Mr Bourman presented a Petition bearing 165 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to immediately pause and reassess the Murray-Darling Basin Plan for better efficiency and fairness for all stakeholders within the Basin. Ordered to lie on the Table.
  - 3 **SUMMARY OFFENCES AMENDMENT (MOVE-ON LAWS) BILL 2019** — Mr O'Donohue introduced *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*.  
On the motion of Mr O'Donohue, the Bill was read a first time and ordered to be read a second time on the next day of meeting.
  - 4 **PAPERS —**  
**PUFFING BILLY APOLOGY** — Mr Somyurek moved, by leave, That there be laid before this House a copy of the Puffing Billy Apology.  
Question — put and agreed to.  
The Paper was presented by Mr Somyurek and ordered to lie on the Table.

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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:

Auditor-General's Reports on —

Follow up of Access to Public Dental Services in Victoria, November 2019 (*Ordered to be published*).

Follow up of Regulating Gambling and Liquor, November 2019 (*Ordered to be published*).

Sexual Harassment in the Victorian Public Service, November 2019 (*Ordered to be published*).

Australian Health Practitioner Regulation Agency — Report, 2018-19.

Climate Change Act 2017 —

Victoria's Climate Science Report, 2019 pursuant to section 51 of the Act.

Victorian Greenhouse Gas Emissions Report, 2019 pursuant to section 52 of the Act.

Crimes (Assumed Identities) Act 2004 — Report, 2018-19 pursuant to section 31 by the Australian Criminal Intelligence Commission.

Inquiries Act 2014 — Royal Commission into Victoria's Mental Health System Interim Report, November 2019, together with Interim Report Summary, November 2019 (*Ordered to be published*).

Legal Profession Uniform Law Application Act 2014 — Practitioner Remuneration Order 2020.

Local Jobs First — Report, 2018-19.

National Environmental Protection Council — Report, 2017-18.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule No. 111.

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

**6 BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 127 to 207, be postponed until later this day.

**7 TRANSPORT LEGISLATION AMENDMENT BILL 2019** — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Dr Ratnam (two sets), Mr Barton, Mr Quilty and Mr Limbrick (two sets) were circulated.

*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.

**HOSPITAL MAINTENANCE FUNDING** — Ms Mikakos having given answers to a question without notice and supplementary question relating to hospital maintenance funding —

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:

- **Hospital maintenance funding** — supplementary question asked by Ms Crozier — response from Ms Mikakos due Friday, 29 November 2019.
- **TAFE student eligibility** — substantive question asked by Ms Wooldridge — response from Ms Tierney due Friday, 29 November 2019.

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

**10 TRANSPORT LEGISLATION AMENDMENT BILL 2019** — 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 with amendments, the Report was adopted.

Ms Pulford 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, 38

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmir; Mr Erdogan; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Mr Patten; Ms Pulford; Dr Ratnam; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

*(Tellers: Mr Atkinson and Mr Ondarchie)*

NOES, 2

Mr Limbrick; Mr Quilty.

*(Tellers: Mr Limbrick and Mr Quilty)*

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 with amendments and requesting their agreement.

- 11 LAND (REVOCATION AND RESERVATIONS) BILL 2019** — 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, by leave, 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 BUILDING AND ENVIRONMENT PROTECTION LEGISLATION AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *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 requesting the agreement of the Council.

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

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

On the motion of Mr Jennings, the second reading speech was incorporated into Hansard.

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

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

- 13 LOCAL GOVERNMENT BILL 2019** — The President read a Message from the Assembly presenting *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 requesting the agreement of the Council.

On the motion of Mr Jennings (for Mr Somyurek), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

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

On the motion of Mr Jennings, the second reading speech was incorporated into Hansard.

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

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

- 14 PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *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 requesting the agreement of the Council.

On the motion of Mr Jennings, the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

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

On the motion of Mr Jennings, the second reading speech was incorporated into Hansard.

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

On the motion of Ms Wooldridge, the debate was adjourned for one week.

- 15 SITTING OF THE COUNCIL** — Mr Jennings moved, That the Council, at its rising, adjourn until Tuesday, 4 February 2020.

Question — put and agreed to.

**16 CONSUMER LEGISLATION AMENDMENT BILL 2019** — 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.

**17 TRANSPORT LEGISLATION AMENDMENT BILL 2019** — The President read a Message from the Assembly informing the Council that they had agreed to the amendments made by the Council in this Bill.

**18 ADJOURNMENT** — Mr Somyurek 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 6.48 p.m., adjourned until Tuesday, 4 February 2020.

ANDREW YOUNG  
*Clerk of the Legislative Council*