



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 108 — Wednesday, 9 June 2021

Proof Version

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- 1 The President took the Chair at 9.36 a.m., read the Prayer and made an Acknowledgement of Country.
 - 2 **PETITION — BREAST SCREENING PROGRAM** — Ms Crozier presented a Petition bearing 241 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to reverse the cuts to women’s health protection services and fully fund the breast screening program so all women, at all times, have access to this essential program.
Ordered to lie on the Table.
 - 3 **PUBLIC HEALTH AND WELLBEING AMENDMENT (GREATER TRANSPARENCY AND ACCOUNTABILITY) BILL 2021** — Ms Crozier introduced *A Bill for an Act to amend the Public Health and Wellbeing Act 2008 to provide for the tabling in Parliament of documents relating to the making of certain instruments that affect the activities of members of the community, and for other purposes.*
On the motion of Ms Crozier, the Bill was read a first time and, by leave, ordered to be read a second time forthwith.
Ms Crozier laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.
Ms Crozier moved, That the Bill be now read a second time.
On the motion of Ms Taylor, the debate was adjourned for two weeks.
 - 4 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk:
 - 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, June 2021 (*Ordered to be published*).
 - Terrorism (Community Protection) Act 2003 — Inspection Report by the Victorian Inspectorate on Victoria Police records scheduled for inspection for the period March 2020 to September 2020.
 - 5 **PRODUCTION OF DOCUMENTS — MEMORANDUM OF UNDERSTANDING WITH CHINA’S NATIONAL DEVELOPMENT AND REFORM COMMISSION** — The Clerk laid on the Table a letter from the Attorney-General, dated 8 June 2021, and a schedule of the document identified by the Government over which a claim of Executive Privilege on the basis that disclosure would jeopardise the public interest by prejudicing diplomatic relations has been made, in response to the Resolution of the Council of 26 May 2021 (on the motion of Mr Davis), relating to the Memorandum of Understanding with China’s National Development and Reform Commission.
 - 6 **MEMBERS’ STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13.

7 EMERGENCY POWERS SAFEGUARDS LEGISLATION AMENDMENT 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 ordered to be committed to a Committee of the whole later this day.

8 REVOCATION OF HUME PLANNING SCHEME AMENDMENT C248 — Mr Finn (for Mr Davis) moved, That this House revokes Hume Planning Scheme Amendment C248, pursuant to section 38(2) of the *Planning and Environment Act 1987*.

Debate ensued.

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.

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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:

- **Men's Behaviour Change Programs** — substantive and supplementary questions asked by Mr Grimley — response from Ms Tierney due Friday, 11 June 2021.
- **Transport projects cost overruns** — substantive and supplementary questions asked by Mr Hayes — response from Ms Symes due Friday, 11 June 2021.
- **Chief Health Officer** — supplementary question asked by Mr O'Donohue — response from Ms Symes due Thursday, 10 June 2021.

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

11 REVOCATION OF HUME PLANNING SCHEME AMENDMENT C248 — Debate continued on the question, That this House revokes Hume Planning Scheme Amendment C248, pursuant to section 38(2) of the *Planning and Environment Act 1987*.

Question — put.

The Council divided — The President in the Chair.

AYES, 17

Mr Atkinson; Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Dr Ratnam; Mr Rich-Phillips.

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

NOES, 20

Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Dr Kieu; Mr Leane; Mr Limbrick; Mr Meddick; Mr Melhem; Ms Pulford; Mr Quilty; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; 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. 576, be postponed until later this day.

13 FOREIGN PROPERTY INVESTORS AND MONEY LAUNDERING IN REAL ESTATE — Mr Hayes moved, That this House —

- (1) notes that the Government is assisting foreign purchasers to buy property in Victoria by allowing them access to the waiver on land transfer duty;
- (2) further notes that —
 - (a) Victoria's vacant property tax has produced serious revenue shortfalls due to its reliance on owners to self-report vacant properties, which is an inadequate form of revenue collection;
 - (b) the additional stamp duty levy on foreign purchasers is inadequate to preference Australian residential property purchasers at its current rate;
 - (c) the Government, through property taxes, is a beneficiary of Australia's weak real estate money laundering laws, some of the developed world's weakest, and has failed to call

on the Federal Government to strengthen these laws in line with the recommendations of the international money laundering watchdog, the Financial Action Task Force, made in 2006;

- (d) increased competition from foreign purchasers makes housing more expensive for Victorian purchasers;
- (3) calls on the Government to —
- (a) cancel waivers provided to foreign investors for land transfer duty;
 - (b) end the self-reporting regime for vacant properties and introduce an effective pro-active collection regime for this tax by the State Revenue Office;
 - (c) increase the stamp duty levy on foreign purchasers of real estate; and
 - (d) publicly urge the Federal Government to strengthen laws against money laundering in the real estate sector in order to take a strong stance on money laundering and defend the rule of law.

Debate ensued.

The Acting President advised that the total time allocated for debate, pursuant to Sessional Order 8, had elapsed —

Question — put and agreed to.

14 BUSINESS POSTPONED — Ordered — That the consideration of Notices of Motion, General Business, No. 543, be postponed until later this day.

15 PROCEDURE COMMITTEE — INQUIRY INTO PHOTOGRAPHY IN THE CHAMBER — Mr Grimley moved, That this House notes that —

- (1) the Legislative Council functions on behalf of all Victorians and therefore all proceedings should be subject to public scrutiny;
- (2) a recent Australian Election Survey conducted by the Australian National University of more than 2,100 Australians found just 25 per cent of respondents believed people in Government could be trusted;
- (3) fair media coverage of Parliamentary proceedings is a critical part of democracy;
- (4) visual and audio recording and still photography are permitted in the Legislative Council Chamber by accredited media organisations and individuals only;
- (5) removing certain restrictions on photography in the Australian Senate has ensured a greater sense of transparency in the Federal Parliament;
- (6) extending the permissions for photography in the Legislative Council Chamber is just one of many measures which may restore some faith in the political process;

and requires the Procedure Committee to inquire into, consider and report, by no later than 25 November 2021, on changes to the rules and regulations relating to photography in the Legislative Council Chamber to ensure greater transparency.

Debate ensued.

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

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

17 ADJOURNMENT — Mr Leane moved, That the House do now adjourn.

Debate ensued and a response to an Adjournment matter was circulated pursuant to Standing Order 4.13.

And then the Council, at 6.21 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council