



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 130 — Wednesday, 27 October 2021

Proof Version

1 The President took the Chair at 9.36 a.m., read the Prayer and made an Acknowledgement of Country.

2 **PETITIONS —**

REMOVE MASK MANDATE FOR CHILDREN — Dr Cumming presented a Petition bearing 2,208 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to remove the mask mandate for children and make it a voluntary decision, as there is no evidence that mask wearing for children will reduce the transmission of the COVID-19 Delta variant.

Ordered to lie on the Table.

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ECO-FRIENDLY SANITARY PRODUCTS IN PUBLIC SCHOOLS — Dr Ratnam presented a Petition bearing 1,035 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Minister for Education to provide young Victorian women with the option of choosing eco-friendly period products such as menstrual cups, period underwear or washable pads.

Ordered to lie on the Table.

3 **PAPERS —**

PARLIAMENTARY DEPARTMENTS — Ms Lovell moved, by leave, That there be laid before this House a copy of the —

- (1) Department of the Legislative Council 2020-21 Report; and
- (2) Department of Parliamentary Services 2020-21 Report.

Question — put and agreed to.

The Reports were presented by Ms Lovell 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:

Audit Act 1994 — Financial audit of the Victorian Auditor-General's Office, year ended 30 June 2021, under section 81(4) of the Act.

Auditor-General's Report on Management of Spending in Response to COVID-19, October 2021 (*Ordered to be published*).

Planning and Environment Act 1987 — Notice of Approval of the Victoria Planning Provisions — Amendment VC173.

4 **MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13 and further statements were received from Members for incorporation in Hansard pursuant to an Order of the Council of 7 September 2021.

5 CONSTITUTION AMENDMENT (STATE OF EMERGENCY AND STATE OF DISASTER) BILL 2021 — Mr Davis laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

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

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

6 PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE INQUIRY INTO THE VICTORIAN GOVERNMENT'S RESPONSE TO THE COVID-19 PANDEMIC — Mr Limbrick moved, That

- (1) this House notes that —
 - (a) 2021 has seen a significant and ongoing impact of the COVID-19 pandemic in Victoria;
 - (b) certain communities, people, businesses and sectors have been disproportionately impacted by the COVID-19 pandemic;
 - (c) the Public Accounts and Estimates Committee Report on the Inquiry into the Victorian Government's response to the COVID-19 pandemic was tabled on 2 February 2021 and no other oversight committee has thoroughly considered the Government's pandemic response throughout 2021;
 - (d) aspects of pandemic management such as the vaccine rollout, management of hotel quarantine, border controls, enforcement of public health directions, mental health impacts and assistance packages have had no thorough consideration commensurate to the Public Accounts and Estimates Committee's work last year; and
- (2) pursuant to section 33 of the *Parliamentary Committees Act 2003*, requires the Public Accounts and Estimates Committee to re-open their Inquiry into the Victorian Government's response to the COVID-19 pandemic, to consider and report, by no later than 31 March 2022, on the efficacy of any changes stemming from the initial report and new issues that emerged throughout 2021.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 16

Mr Atkinson; Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Ondarchie; Ms Patten; Dr Ratnam.

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

NOES, 16

Mr Elasmarr; Mr Erdogan; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Pulford; 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)

The Ayes and Noes being equal, the question was negatived.

7 BUSINESS POSTPONED — Ordered — That the consideration of Notice of Motion, General Business, No. 663, be postponed until later this day.

8 LOCAL GOVERNMENT AMENDMENT (RATES AND CHARGES) 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.

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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:

- **Children with parents in custody** — substantive and supplementary questions asked by Mr Barton — response from Ms Symes due Friday, 29 October 2021.
- **COVID-19 restrictions** — substantive and supplementary questions asked by Mr Quilty — response from Ms Symes due Friday, 29 October 2021.

- **Vaccination of retail workers** — substantive and supplementary questions asked by Dr Cumming — response from Ms Symes due Friday, 29 October 2021.

10 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08 and further questions were received from Members for incorporation in Hansard pursuant to an Order of the Council of 7 September 2021.

11 LOCAL GOVERNMENT AMENDMENT (RATES AND CHARGES) BILL 2021 — Debate continued on the question, That the Bill be now read a second time.

On the motion of Ms Bath, the debate was adjourned until later this day.

12 BUSINESS POSTPONED — Ordered — That the consideration of General Business, Order of the Day, No. 3, be postponed until later this day.

13 PLANNING AND ENVIRONMENT AMENDMENT BILL 2021 — Debate resumed on the question, That the Bill be now read a second time.

Question — put.

The Council divided — The President in the Chair.

AYES, 4

Mr Barton; Mr Hayes; Mr Meddick; Dr Ratnam.

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

NOES, 27

Mr Atkinson; Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Mr Grimley; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Melhem; Mr Ondarchie; Ms Pulford; Mr Rich-Phillips; Ms Shing; Ms Stitt; 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.

Business having been interrupted at 5.15 p.m. pursuant to Sessional Orders.

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 further adjournment matters were received from Members for incorporation in Hansard pursuant to an Order of the Council of 7 September 2021.

And then the Council, at 6.12 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council