



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

Nos. 60, 61 and 62

No. 60 — Tuesday, 2 June 2020

- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **THE LATE HONOURABLE BRUCE NICHOLAS REID** — The President advised the House of the death, on 24 May 2020, of the Honourable Bruce Nicholas Reid, Member of the Legislative Council for Bendigo Province from 1976 to 1988.
Members stood in their places as a mark of respect to the memory of the late Honourable Bruce Nicholas Reid.
- 3 **ASSENT TO ACTS** — The President read Messages from the Governor informing the Council that she had, on the following dates, given the Royal Assent to the following Acts presented to her by the Clerk of the Parliaments:
 - On 24 April 2020 —
COVID-19 Omnibus (Emergency Measures) Act 2020
 - On 28 April 2020 —
Appropriation (Interim) Act 2020
Appropriation (Parliament) (Interim) Act 2020
State Taxation Acts Amendment (Relief Measures) Act 2020.
- 4 **MESSAGE FROM THE ASSEMBLY — AUDITOR-GENERAL'S OFFICE FINANCIAL AUDIT** — The President advised that, pursuant to a temporary order of the Council of 23 April 2020, he had —
 - (1) received a Message from the Legislative Assembly on 6 May 2020 agreeing, under section 79 of the *Audit Act 1994*, to appoint Mr Steven Bradby of PKF Melbourne Audit and Assurance for a period of four years;
 - (2) notified the Leader of the Government, the Leader of the Opposition, the Leader of the Australian Greens and all other Members of the crossbench that this Message had been received and requested their agreement; and
 - (3) sent a Message to the Legislative Assembly on 12 May 2020 informing them that agreement had been communicated from each of the Members notified and therefore the recommendation was deemed adopted by the House.
- 5 **QUESTIONS AND MINISTERS' STATEMENTS** — Questions without notice were taken and Ministers' Statements were made pursuant to Sessional Order 13.
CEDAR MEATS CORONAVIRUS RISK ASSESSMENT — Ms Mikakos having given answers to a question without notice and supplementary question relating to Cedar Meats coronavirus risk assessment —
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 and answers to certain questions on notice were circulated pursuant to Standing Order 8.12.

Pursuant to a temporary order of the Council of 23 April 2020, answers received and published between 24 April and 1 June 2020 were laid on the Table.

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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:

- **Royal Commission into mental health** — substantive question asked by Mr Grimley — response from Ms Mikakos due Thursday, 4 June 2020.
- **Cedar Meats coronavirus risk assessment** — supplementary question asked by Ms Crozier — response from Ms Mikakos due Wednesday, 3 June 2020.
- **Mercy Mental Health funding** — substantive and supplementary questions asked by Dr Cumming — response from Ms Mikakos due Thursday, 4 June 2020.

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

7 COMMITTEE MEMBERSHIP — The President read a letter from Mr Atkinson resigning from the Electoral Matters Committee and the Standing Committee on Environment and Planning, effective from Friday, 15 May 2020.

8 ECONOMY AND INFRASTRUCTURE COMMITTEE — EXTENSION TO REPORTING DATES — The President advised that, pursuant to a temporary order of the Council of 23 April 2020, he had received a letter from the Chair of the Economy and Infrastructure Committee, dated 18 May 2020, notifying him of the following changes to reporting dates —

- (1) the Inquiry into Expanding Melbourne's Free Tram Zone — from 1 September 2020 to 1 December 2020; and
- (2) the Inquiry into the Increase in Victoria's Road Toll — from 17 November 2020 to 31 March 2021.

9 ENVIRONMENT AND PLANNING COMMITTEE — EXTENSION TO REPORTING DATES — The President advised that, pursuant to a temporary order of the Council of 23 April 2020, he had received a letter from the Chair of the Environment and Planning Committee, dated 1 June 2020, notifying him of the following changes to reporting dates —

- (1) the Inquiry into Nuclear Prohibition in Victoria — from 14 August 2020 to 30 November 2020;
- (2) the Inquiry into Ecosystem Decline in Victoria — from 30 October 2020 to 30 April 2021;
- (3) the Inquiry into Air Pollution in Victoria — from 29 October 2020 to 31 August 2021; and
- (4) the Inquiry into Renewable Energy in Victoria — from July 2021 to 30 April 2022.

10 PETITIONS —

LEGALISE AIRSOFT EQUIPMENT — Mr Quilty presented a Petition bearing 1,590 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to support all necessary policy initiatives, administrative actions and changes to legislation required to facilitate the legalisation of the purchase of, trade in and use of airsoft equipment, and support all the commercial activities that are associated with the sport.

Ordered to lie on the Table.

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LEGALISE AIRSOFT EQUIPMENT — Mr Quilty presented a Petition bearing 17 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to support all necessary policy initiatives, administrative actions and legislation required to facilitate the legislation of, the purchase of, trade in and use of airsoft equipment, and support all the commercial activities that are associated with the sport so it may be enjoyed by the people of Victoria.

Ordered to lie on the Table.

- 11 HOUSING LEGISLATION AMENDMENT (PUBLIC HOUSING CHARTER OF RIGHTS AND OMBUDSMAN) BILL 2020** — Dr Ratnam introduced *A Bill for an Act to amend the Housing Act 1983 to create a Charter of Rights for public housing tenants, and to establish a mechanism to deal with issues relating to the rights of public housing tenants, and for other purposes.*

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

- 12 WILDLIFE RESCUE VICTORIA BILL 2020** — Mr Meddick introduced *A Bill for an Act to provide for certain matters related to carrying out wildlife emergency response activities, including establishing the Wildlife Rescue Victoria Committee with functions dealing with or related to those activities, in particular, a function of advising the Secretary on the management of volunteers carrying out those activities and on the management of persons or bodies who provide those volunteers, and including providing for the accreditation of volunteers to carry out those activities and of persons or bodies carrying out related activities and for related matters and for other purposes.*

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

13 PAPERS —

UNIVERSITY OF DIVINITY REPORT, 2019 — Ms Tierney moved, by leave, That there be laid before this House a copy of the University of Divinity Report, 2019.

Question — put and agreed to.

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

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PARLIAMENTARY BUDGET OFFICE — COSTING RESPONSE — Ms Patten moved, by leave, That there be laid before this House a copy of the Parliamentary Budget Office's response to Reason Victoria's request relating to a Four-day work week trial—part-time staff receive new hourly pay rate.

Question — put and agreed to.

The Report was presented by Ms Patten 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 2020 (including Appendices) from the Scrutiny of Acts and Regulations Committee.

Ordered to be published.

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OMBUDSMAN — INVESTIGATION OF ALLEGED IMPROPER CONDUCT BY EXECUTIVE OFFICERS AT BALLARAT CITY COUNCIL — Pursuant to section 25AA(4)(c) of the *Ombudsman Act 1973*, the Clerk laid on the Table a copy of the Ombudsman's Report on an Investigation of alleged improper conduct by Executive Officers at Ballarat City Council, May 2020.

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OMBUDSMAN — INVESTIGATIONS INTO ALLEGATIONS OF NEPOTISM IN GOVERNMENT SCHOOLS — Pursuant to section 25AA(4)(c) of the *Ombudsman Act 1973*, the Clerk laid on the Table a copy of the Ombudsman's Report on Investigations into allegations of nepotism in government schools, May 2020.

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VICTORIAN BUDGET 2019-20 QUARTERLY FINANCIAL REPORT NO. 3 — Pursuant to section 27D(6)(c) of the *Financial Management Act 1994*, the Clerk laid on the Table a copy of the Victorian Budget 2019-20 Quarterly Financial Report No. 3 for the quarter ending 31 March 2020.

AUDITOR-GENERAL — PERSONNEL SECURITY: DUE DILIGENCE OVER PUBLIC SERVICE EMPLOYEES — Pursuant to section 59(5)(c) of the *Audit Act 1994*, the Clerk laid on the Table a copy of the Auditor-General's Report on Personnel Security: Due Diligence Over Public Service Employees, May 2020.

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AUDITOR-GENERAL — MANAGING SUPPORT AND SAFETY HUBS — Pursuant to section 59(5)(c) of the *Audit Act 1994*, the Clerk laid on the Table a copy of the Auditor-General's Report on Managing Support and Safety Hubs, May 2020.

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IBAC — SPECIAL REPORT ON OPERATION BETKA: AN INVESTIGATION INTO ALLEGED CORRUPT CONDUCT BY A FORMER CONTRACTOR OF THE DEPARTMENT OF EDUCATION AND TRAINING — Pursuant to section 162(12)(c) of the *Independent Broad-based Anti-corruption Commission Act 2011*, the Clerk laid on the Table a copy of the IBAC Commissioner's Special report on Operation Betka: An investigation into alleged corrupt conduct by a former contractor of the Department of Education and Training, May 2020.

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ENVIRONMENT AND PLANNING COMMITTEE — GOVERNMENT RESPONSE TO THE INQUIRY INTO RECYCLING AND WASTE MANAGEMENT — Pursuant to Standing Order 23.30(2)(b), the Clerk laid on the Table a copy of the Government Response to the Environment and Planning Committee's Report on the Inquiry into Recycling and Waste Management.

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LEGAL AND SOCIAL ISSUES COMMITTEE — GOVERNMENT RESPONSE TO THE INQUIRY INTO FIREARMS PROHIBITION LEGISLATION — Pursuant to Standing Order 23.30(2)(b), the Clerk laid on the Table a copy of the Government Response to the Legal and Social Issues Committee's Report on the Inquiry into Firearms Prohibition Legislation.

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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, 2019.

Box Hill Institute — Report, 2019.

Chisholm Institute — Report, 2019.

Deakin University — Report, 2019.

Drugs, Poisons and Controlled Substances Act 1981 — Report pursuant to section 96 by the Chief Commissioner of Victoria Police for 2019.

Federation University Australia — Report, 2019.

Gambling Regulation Act 2003 — Amendments to the Public Lottery Licence under section 5.3.6 of the Act.

Gordon Institute of TAFE (The Gordon) — Report, 2019.

Goulburn Ovens Institute of TAFE (GOTAFE) — Report, 2019.

Holmesglen Institute — Report, 2019.

Land Acquisition and Compensation Act 1986 — Minister's certificate of 13 April 2020 to not require the service of a notice of intention to acquire land, pursuant to section 7(1)(c) of the Act.

La Trobe University — Report, 2019.

Melbourne Polytechnic — Report, 2019.

Members of Parliament (Standards) Act 1978 — Register of Interests — Return submitted by a Member of the Legislative Council — Primary Return, 5 May 2020 (*Ordered to be published*).

Monash University — Report, 2019.

Municipal Association of Victoria — Report, 2018-19.

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

- Ballarat Planning Scheme — Amendment C213.
Banyule Planning Scheme — Amendment C155.
Bass Coast, Baw Baw, Colac Otway, East Gippsland, Glenelg, Greater Bendigo, Greater Geelong, Hepburn, Latrobe, Mitchell, Moorabool, Moyne, South Gippsland, Southern Grampians, Strathbogrie, Warrnambool, Wellington and Wodonga Planning Schemes — Amendment GC112.
Colac Otway Planning Scheme — Amendment C104.
Darebin Planning Scheme — Amendment C187.
Frankston Planning Scheme — Amendment C131.
Glen Eira Planning Scheme — Amendment C198.
Greater Bendigo Planning Scheme — Amendment C252.
Greater Shepparton Planning Scheme — Amendments C213 and C222.
Hume Planning Scheme — Amendment C239.
Latrobe Planning Scheme — Amendment C123.
Melbourne Planning Scheme — Amendments C365, C375 and C383.
Monash Planning Scheme — Amendment C131.
Moreland Planning Scheme — Amendments C164 (Part 1) and C164 (Part 2).
Mornington Peninsula Planning Scheme — Amendment C274.
Port Phillip Planning Scheme — Amendment C188.
South Gippsland Planning Scheme — Amendment C90.
Surf Coast Planning Scheme — Amendment C130.
Towong Planning Scheme — Amendment C25.
Victoria Planning Provisions — Amendment VC175.
Whittlesea Planning Scheme — Amendment C238.
Wyndham Planning Scheme — Amendment C242.
Yarra Planning Scheme — Amendment C265.
- Public Health and Wellbeing Act 2008 — Report to Parliament on the Extension of the Declaration of a State of Emergency, pursuant to section 198(8) of the Act.
Royal Melbourne Institute of Technology (RMIT University) — Report, 2019.
South West Institute of TAFE — Report, 2019.
- Statutory Rules under the following Acts of Parliament —
Building Act 1993 — No. 42.
Children's Services Act 1996 — No. 32.
County Court Act 1958 — No. 27.
COVID-19 Omnibus (Emergency Measures) Act 2020 — Nos. 31, 34 and 38.
Disability Service Safeguards Act 2018 — No. 36.
Flora and Fauna Guarantee Act 1988 — No. 41.
Magistrates' Court Act 1989 — Nos. 39 and 40.
Residential Tenancies Act 1997 — No. 35.
Subordinate Legislation Act 1994 — No. 33.
Supreme Court Act 1986 — Nos. 29 and 30.
Transport Accident Act 1986 — No. 37.
Victorian Civil and Administrative Tribunal Act 1998 — No. 28.
Workplace Injury Rehabilitation and Compensation Act 2013 — No. 43.
- Subordinate Legislation Act 1994 —
Documents under section 15 in respect of Statutory Rule Nos. 21, 25 to 30, 32 to 35, 37 to 40 and 43.
Legislative instruments and related documents under section 16B in respect of the —
Fisheries Act 1995 —
Amendment of 3 March 2020 to the Initial Quota Order for the Pipi Fishery under section 64 of the Act.
Amendments of 29 April 2020 to the Initial Quota Orders for the Western Zone of the Victorian Rock Lobster Fishery, the Eastern Zone of the Victorian Rock Lobster Fishery, the Giant Crab Fishery in the Western Zone and the Sea Urchin Fishery under section 64 of the Act.
Initial Abalone Quota Order of 30 April 2020 under section 66C of the Act.

Initial Quota Orders of 13 February 2020 for the Pipi Fishery and the Banded Morwong Fishery under section 64 of the Act.

Minister's direction of 30 April 2020 in relation to the fishery for banded morwong being managed as a developing fishery under section 61 of the Act.

Gambling Regulations Act 2003 — Notices of 23 March 2020 and 1 May 2020 and certificates of 25 February 2020 fixing the value of gaming machine supervision charge for venue operators for 2018-19 under section 3.6.5A of the Act.

Water Act 1989 — Coliban Region Water Corporation By-law No. 13 – Recreational Areas of 20 April 2020, under section 287ZC of the Act.

Sunraysia Institute of TAFE (SuniTAFE) — Report, 2019.

Swinburne University of Technology — Report, 2019.

TAFE Gippsland — Report, 2019.

The University of Melbourne — Report, 2019.

Victoria University — Report, 2019.

Wildlife Act 1975 —

Wildlife (Prohibition of Game Hunting) Notice (*Gazette No. S234, 12 May 2020*).

Wildlife (Prohibition of Game Hunting) Notice (*Gazette No. S246, 19 May 2020*).

William Angliss Institute of TAFE — Report, 2019.

Wodonga Institute of TAFE — Report, 2019.

14 BUSINESS OF THE COUNCIL — Mr Davis moved, by leave, That precedence be given to the following General Business on Wednesday, 3 June 2020 —

- (1) Order of the Day made this day, second reading of the Wildlife Rescue Victoria Bill 2020;
- (2) the notice of motion given this day by Ms Maxwell referring a matter to the Legal and Social Issues Committee relating to Victoria's justice system;
- (3) the notice of motion given this day by Ms Maxwell in relation to illegal tobacco trade;
- (4) the notice of motion given this day by Mr Davis in relation to barley tariffs;
- (5) the notice of motion given this day by Ms Lovell in relation to brumbies; and
- (6) the notice of motion given this day by Mr Davis in relation to a joint select committee inquiry into international treaties.

Question — put and agreed to.

15 REGIONAL SITTING — Mr Davis moved, by leave, That the Resolution of the Council of 6 February 2020 requiring the Legislative Council to hold a regional sitting in North East Victoria in October or November 2020 be amended so as to now require the Council to hold this sitting by 30 June 2021.

Question — put and agreed to.

16 ENVIRONMENT AND PLANNING COMMITTEE MEMBERSHIP — Mr Davis moved, by leave, That Dr Bach be a member of the Standing Committee on Environment and Planning.

Question — put and agreed to.

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

18 BUSINESS POSTPONED — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 207 to 276, be postponed until later this day.

19 NORTH EAST LINK 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, Dr Ratnam, Dr Bach and Mr Barton were circulated.

Question — put.

The Council divided — The President in the Chair.

AYES, 33

Mr Atkinson; Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Elasmarr; Mr Erdogan; Ms Garrett; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

NOES, 5

Dr Cumming; Mr Grimley; Mr Hayes; Ms Maxwell; Dr Ratnam.

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

Question agreed to.

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

House in Committee.

Business having been interrupted at 6.30 p.m. pursuant to Sessional Order 1 —

[Sitting suspended from 6.30 p.m. to 7.30 p.m.]

Bill further considered in Committee of the whole.

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.

20 DISABILITY SERVICE SAFEGUARDS 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.

21 ADJOURNMENT — Ms Mikakos moved, That the House do now adjourn.

Debate ensued and pursuant to a temporary order of the Council of 23 April 2020, responses to certain Adjournment matters received and published between 24 April and 1 June 2020 were laid on the Table.

And then the Council, at 10.12 p.m., adjourned until tomorrow.

ANDREW YOUNG

Clerk of the Legislative Council

No. 61 — Wednesday, 3 June 2020

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

2 **PETITION — EASE THE COVID-19 RECREATIONAL ACTIVITY RESTRICTIONS** — Mr Bourman presented a Petition bearing 4,131 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to work with the Victorian Chief Health Officer to immediately allow outdoor recreational activities to recommence, subject to social distancing restrictions.

Ordered to lie on the Table.

3 **PAPERS** —

COMMUNITY PETITIONS TO SAVE CHANNEL 31 — Mr Barton moved, by leave, That there be laid before this House a copy of the Community Petitions to save Channel 31.

Question — put and agreed to.

The Report was presented by Mr Barton 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:

Crown Land (Reserves) Act 1978 —

Minister's Order of 1 April 2020 giving approval to the granting of a licence at Alexandra Gardens Reserve and Kings Domain Reserve.

Minister's Order of 17 September 2019 giving approval to the granting of a lease at Sandringham Beach Park.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule No. 24.

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

5 WILDLIFE RESCUE VICTORIA BILL 2020 — Mr Meddick laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

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

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

6 LEGAL AND SOCIAL ISSUES COMMITTEE REFERENCE — VICTORIA'S JUSTICE SYSTEM — Ms Maxwell moved, That this House requires the Legal and Social Issues Committee to inquire into, consider and report, by no later than 28 February 2022, on various issues associated with the operation of Victoria's justice system, including, but not limited to —

- (1) an analysis of factors influencing Victoria's growing remand and prison populations;
- (2) strategies to reduce rates of criminal recidivism;
- (3) an examination of how to ensure that judges and magistrates have appropriate knowledge and expertise when sentencing and dealing with offenders, including an understanding of recidivism and the causes of crime; and
- (4) the consideration of judicial appointment processes in other jurisdictions, specifically noting the particular skill-set necessary for judges and magistrates overseeing specialist courts.

Debate ensued.

Mr O'Donohue moved, as amendments, That —

1. In paragraph (2) after the words "criminal recidivism" **insert** the words ", both in respect to custodial sentences and community corrections orders".
2. In paragraph (3) **omit** "crime; and" and **insert** in their place "crime;".
3. In paragraph (4) **omit** "courts." and **insert** in their place "courts;".
4. After paragraph (4), **insert** the following:
 - "(5) a comprehensive review of the operational costs of Victoria's correctional system, which is currently the highest in the nation on a per prisoner per day basis; and
 - (6) reviewing the growing rate of serious prisoner on staff assaults, which are at the highest rate in a decade."

Debate ensued.

Question — That the amendments moved by Mr O'Donohue be agreed to — put.

The Council divided — The President in the Chair.

AYES, 11

Mr Atkinson; Dr Bach; Ms Bath; Ms Crozier; Mr Davis; Mr Limbrick; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Mr Rich-Phillips.

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

NOES, 26

Mr Barton; Mr Bourman; Dr Cumming; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

Question negated.

Original question — put and agreed to.

7 BUSINESS POSTPONED — Ordered — That the consideration of Notice of Motion, General Business, No. 317, be postponed until later this day.

8 BARLEY TARIFFS — Mr Davis moved, That this House opposes the unjustified special tariffs imposed on Victorian barley by the Chinese Communist Party Government and calls for these unjustified tariffs to be removed immediately.

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:

- **Latrobe Valley Hospital obstetrics** — substantive question asked by Ms Crozier — response from Ms Mikakos due Thursday, 4 June 2020.
- **Latrobe University borrowings** — substantive and supplementary questions asked by Mr Rich-Phillips — response from Ms Tierney due Thursday, 4 June 2020.
- **Temporary ban on sale of firearms and ammunition during pandemic** — substantive and supplementary questions asked by Mr Bourman — response from Ms Tierney due Friday, 5 June 2020.

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

11 BARLEY TARIFFS — Debate continued on the question, That this House opposes the unjustified special tariffs imposed on Victorian barley by the Chinese Communist Party Government and calls for these unjustified tariffs to be removed immediately.

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

Question — put and agreed to.

12 CULLING OF BRUMBIES — Ms Lovell moved, That this House calls on the Andrews Labor Government to cease its plan for the broadscale shooting of brumbies in Victorian national parks.

Debate ensued.

Question — put and agreed to.

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

14 INAUGURAL SPEECH — MR LEE TARLAMIS — Pursuant to Standing Order 5.08, Mr Lee Tarlamis made his inaugural speech.

15 ADJOURNMENT — Ms Symes 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 6.42 p.m., adjourned until tomorrow.

ANDREW YOUNG

Clerk of the Legislative Council

No. 62 — Thursday, 4 June 2020

- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PAPERS —**
ECONOMY AND INFRASTRUCTURE COMMITTEE — GOVERNMENT RESPONSE TO THE INQUIRY INTO THE IMPACT OF ANIMAL RIGHTS ACTIVISM ON VICTORIAN AGRICULTURE — Pursuant to Standing Order 23.30, Ms Symes laid on the Table a copy of the Government Response to the Economy and Infrastructure Committee's Report on the Inquiry into the impact of animal rights activism on Victorian agriculture.
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- PAPER PURSUANT TO STATUTE** — The following Paper, pursuant to a direction of an Act of Parliament, was laid on the Table by the Clerk:
 Freedom of Information Act 1982 — Pursuant to section 65AB(2) of the Act, a Statement of reasons for Monash University seeking leave under section 148 of the Victorian Civil and Administrative Tribunal Act 1998 to appeal on a question of law.
- 3 **SITTING OF THE COUNCIL** — Ms Symes moved, That the Council, at its rising, adjourn until Tuesday, 16 June 2020.
 Question — put and agreed to.
- 4 **MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13.
- 5 **BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 207 to 276, be postponed until later this day.
- 6 **CRIMES AMENDMENT (MANSLAUGHTER AND RELATED OFFENCES) BILL 2020** —
 Debate resumed on the question, That the Bill be now read a second time.
 Amendments proposed to be moved in Committee by Ms Maxwell were circulated.
 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.
- 7 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019** — 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 —
- 8 **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:
- **Former Footscray Psychiatric Hospital** — substantive and supplementary questions asked by Dr Cumming — response from Ms Symes due Tuesday, 9 June 2020.
 - **Supporting registered commercial passenger vehicles during pandemic** — substantive question asked by Mr Barton — response from Ms Symes due Tuesday, 9 June 2020.
- 9 **CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08.
- 10 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019** — Debate continued on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Meddick, Mr Grimley and Ms Pulford were circulated.

Dr Ratnam moved, as a reasoned amendment, That all the words after “That” be omitted and replaced with the words “this Bill be withdrawn and redrafted to ensure that the Great Ocean Road Coast and Parks Authority does not take over responsibility for managing National Parks in the Great Ocean Road region.”.

Debate ensued.

Question — That the reasoned amendment moved by Dr Ratnam be agreed to — put.

The Council divided — The President in the Chair.

AYES, 3

Mr Atkinson; Mr Hayes; Dr Ratnam.

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

NOES, 35

Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmar; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O’Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney.

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

Question negatived.

Question — That the Bill be now read a second time — 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, 25

Mr Barton; Dr Cumming; Mr Elasmar; Mr Erdogan; Ms Garrett; Mr Grimley; Dr Kieu; Mr Leane; Mr Limbrick; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Mr Quilty; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

NOES, 13

Mr Atkinson; Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; 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)

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 ASSISTED REPRODUCTIVE TREATMENT 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.

Pursuant to a temporary order of the Council of 23 April 2020, the President, being satisfied that only one Member or minor party was voting against the third reading, Mr Bourman’s dissent was recorded.

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

- 12 RETAIL LEASES AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Building Act 1993 and the Retail Leases Act 2003 in relation to the obligations of landlords and tenants under retail premises leases in respect of essential safety measures and various other matters and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Tierney (for Mr Somyurek), 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 Ms Crozier (for Mr Rich-Phillips), the debate was adjourned for one week.

- 13 PETROLEUM LEGISLATION AMENDMENT BILL 2020** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Petroleum Act 1998 and the Offshore Petroleum and Greenhouse Gas Storage Act 2010 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 Ms Crozier (for Mr Rich-Phillips), the debate was adjourned for one week.

- 14 WAGE THEFT BILL 2020** — The President read a Message from the Assembly presenting *A Bill for an Act to create offences relating to the theft of employee entitlements and the keeping of records relating to employee entitlements, to establish the Wage Inspectorate Victoria and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Tierney, 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 Ms Crozier (for Mr O'Donohue), the debate was adjourned for one week.

- 15 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 6.32 p.m., adjourned until Tuesday, 16 June 2020.

ANDREW YOUNG
Clerk of the Legislative Council

COMMITTEE OF THE WHOLE COUNCIL

Supplement to Minutes Nos. 60, 61 and 62

NORTH EAST LINK BILL 2020

Committed Tuesday, 2 June 2020

Amendments circulated: Dr Bach (p. 456), Mr Barton (p. 456), Dr Cumming (p. 457), Dr Ratnam (p. 457) and Mr Rich-Phillips (p. 457)

Clauses 1 to 7 — put and agreed to.

Clause 8 — Dr Ratnam moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 6

Mr Barton; Mr Grimley; Mr Hayes; Ms Maxwell; Mr Meddick; Dr Ratnam.

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

NOES, 33

Mr Atkinson; Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmar; Mr Erdogan; Ms Garrett; Mr Gepp; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

Question negated.

Clause 8 — put and agreed to.

Clauses 9 to 49 — put and agreed to.

Clause 50 — Mr Rich-Phillips moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 17

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

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

NOES, 21

Mr Bourman; Dr Cumming; Mr Elasmar; Mr Erdogan; Ms Garrett; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

Question negated.

Clause 50 — put and agreed to.

Clauses 51 to 57 — put and agreed to.

Clause 58 — Mr Barton moved Amendment Nos. 1 and 2.

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 17

Mr Atkinson; Dr Bach; Mr Barton; Ms Bath; Ms Crozier; Dr Cumming; Mr Davis; Mr Grimley; Mr Hayes; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr O'Donohue; Mr Ondarchie; Ms Patten; 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; Dr Kieu; Mr Leane; Mr Limbrick; Mr Melhem; Ms Mikakos; Ms Pulford; Mr Quilty; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

Question negated.

Clause 58 — put and agreed to.

Clause 59 — Dr Bach moved Amendment Nos. 1 and 2.

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 18

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

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

NOES, 20

Dr Cumming; Mr Elasmarr; Mr Erdogan; Ms Garrett; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

Question negated.

Amendments proposed to be moved in Committee by Dr Cumming were circulated.

Mr Barton moved Amendment No. 3.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 10

Mr Barton; Mr Bourman; Dr Cumming; Mr Grimley; Mr Hayes; Mr Limbrick; Ms Maxwell; Mr Meddick; Ms Patten; Mr Quilty.

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

NOES, 29

Mr Atkinson; Dr Bach; Ms Bath; Ms Crozier; Mr Davis; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Dr Kieu; Mr Leane; Ms Lovell; Mrs McArthur; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Pulford; Dr Ratnam; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

Question negated.

Dr Cumming moved Amendment No. 1.

Question — That the amendment be agreed to — put and negated.

Pursuant to a temporary order of the Council of 23 April 2020, the Deputy President, being satisfied that only one Member or minor party was voting in favour of the amendment, Dr Cumming's dissent was recorded.

Clause 59 — put and agreed to.

Clauses 60 to 165 — put and agreed to.

Bill reported without amendment.

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DISABILITY SERVICE SAFEGUARDS AMENDMENT BILL 2020

Committed Tuesday, 2 June 2020

Amendments circulated: Ms Crozier (pp. 457-8)

Amendments proposed to be moved in Committee by Ms Crozier were circulated.

Clause 1 — Ms Crozier moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

Mr Atkinson; Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Hayes; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Ms Patten; Mr Quilty; Mr Rich-Phillips.

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

NOES, 22

Dr Cumming; Mr Elasmár; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Pulford; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

Question negatived.

Clause 1 — put and agreed to.

Clauses 2 to 14 — put and agreed to.

Bill reported without amendment.

* * * * *

CRIMES AMENDMENT (MANSLAUGHTER AND RELATED OFFENCES) BILL 2020

Committed Thursday, 4 June 2020

Amendments circulated: Ms Maxwell (p. 458)

Clause 1 — Ms Maxwell moved Amendment No. 1 — put and negatived.

Clause 1 — put and agreed to.

Clause 2 — put and agreed to.

Clause 3 — Ms Maxwell moved Amendment No. 2 — put and negatived.

Clause 3 — put and agreed to.

Clause 4 — Ms Maxwell moved Amendment No. 3 — put and negatived.

Clause 4 — put and agreed to.

Clause 5 — Ms Maxwell moved Amendment No. 4 — put and negatived.

Clause 5 — put and agreed to.

Clauses 6 to 27 — put and agreed to.

Bill reported without amendment.

* * * * *

GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019

Committed Thursday, 4 June 2020

Amendments circulated: Mr Grimley (p. 459), Mr Meddick (p. 459) and Ms Pulford (p. 460)

Clauses 1 and 2 — put and agreed to.

Clause 3 — Mr Meddick moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 7

Mr Barton; Mr Grimley; Mr Hayes; Ms Maxwell; Mr Meddick; Ms Patten; Dr Ratnam.

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

NOES, 31

Mr Atkinson; Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney.

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

Question negatived.

Clause 3 — put and agreed to.

Clauses 4 to 47 — put and agreed to.

Clause 48 — Ms Pulford moved Amendment Nos. 1 to 3.

Question — That the amendments be agreed to — put and agreed to.

Clause 48, as amended — put and agreed to.

Clauses 49 to 55 — put and agreed to.

Clause 56 — Mr Grimley moved Amendment Nos. 1 and 2.

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

Mr Atkinson; Dr Bach; Mr Barton; Ms Bath; Ms Crozier; Mr Davis; Mr Grimley; Mr Hayes; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; 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, 22

Mr Bourman; Dr Cumming; Mr Elasmár; Mr Erdogan; Ms Garrett; Dr Kieu; Mr Leane; Mr Limbrick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Mr Quilty; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

Question negatived.

Clause 56 — put and agreed to.

Clauses 57 to 118 — put and agreed to.

Bill reported with amendments.

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ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2020

Committed Thursday, 4 June 2020

Clauses 1 to 13 — put and agreed to.

Bill reported without amendment.

AMENDMENTS CIRCULATED IN RELATION TO —

1. NORTH EAST LINK BILL 2020

Amendments circulated by Dr Bach

1. Clause 59, line 7, after "road" insert "other than the Eastern Freeway".
2. Clause 59, page 40, after line 6 insert—

"(6) In this section—

Eastern Freeway means that part of the Eastern Freeway, or any other road, between Hoddle Street and Bulleen Road."

Amendments circulated by Mr Barton

1. Clause 58, line 25, before "The relevant" insert "(1)".
2. Clause 58, after line 29 insert—
 - "(2) Despite subsection (1) or anything in a North East Link tolling agreement, a toll cannot be fixed or imposed in respect of the use of any of the following vehicles in a toll zone on the North East Link road—
 - (a) a vehicle displaying a taxi number plate issued under the **Road Safety Act 1986**;
 - (b) a vehicle displaying a VH number plate;
 - (c) a bus operating a route bus service.
 - (3) In this section—

bus has the same meaning as in the **Bus Safety Act 2009**;

route bus service has the same meaning as in the **Bus Safety Act 2009**;

VH number plate means—

 - (a) a VHA, VHB or VHC series number plate previously issued under the **Road Safety Act 1986**;
 - (b) a number plate in the series VHD 004 to VHZ 999 bearing the words "Commercial Passenger Vehicle" issued under the **Road Safety Act 1986**."
3. Clause 59, after line 24 insert—
 - "(2A) Despite anything to the contrary in this Act or a North East Link tolling agreement, the toll fixed in respect of the use of a cab chassis utility vehicle or a light truck in a toll zone must be the same as the toll fixed in respect of the use of a passenger car in that toll zone.
 - (2B) In subsection (2A)—

heavy vehicle has the same meaning as in the Heavy Vehicles National Law (Victoria);

light truck means a truck (within the meaning of the **Road Safety Act 1986**) that is not a heavy vehicle;

passenger car has the same meaning as in the **Duties Act 2000**."

Amendments circulated by Dr Cumming

1. Clause 59, after line 24 insert—
 - "(2A) Despite anything to the contrary in this Act or a North East Link tolling agreement, the toll fixed in respect of the use of a cab chassis utility vehicle in a toll zone, being a cab chassis utility vehicle used primarily for non-commercial purposes, must be the same as the toll fixed in respect of the use of a passenger car (within the meaning of the **Duties Act 2000**) in that toll zone."

Amendments circulated by Dr Ratnam

1. Clause 8, line 13, before "may" insert "subject to sections 15A and 15B".

NEW CLAUSES

2. Insert the following New Clauses to follow clause 15—

"15A Acquisition and disposal of real and personal property

The North East Link State Tolling Corporation must not acquire or dispose of real or personal property without the prior approval, by resolution, of both Houses of the Parliament, if the total real or personal property being acquired or disposed of (together with any other such acquisitions or dispositions during the last 12 months) represents an amount in excess of 5% of the value of the Corporation's real and personal property as disclosed in its last audited financial statements under Part 7 of the **Financial Management Act 1994**.

15B Sale or disposal of main undertaking

- (1) None of the main undertakings of the North East Link State Tolling Corporation may be sold or disposed of except with the prior approval, by resolution, of both Houses of the Parliament.
- (2) The main undertakings of the North East Link State Tolling Corporation are as specified in the Corporation's most recent corporate plan."

Amendments circulated by Mr Rich-Phillips

1. Clause 50, line 28, omit "each" and insert "either".
2. Clause 52, lines 13 and 14, omit "both Houses" and insert "either House".
3. Clause 52, line 16, omit "each House of the Parliament" and insert "that House".
4. Clause 53, page 36, line 15, omit "each" and insert "either".
5. Clause 55, line 32, omit "both Houses" and insert "either House".
6. Clause 55, line 35, omit "each House of the Parliament" and insert "that House".

2. DISABILITY SERVICE SAFEGUARDS AMENDMENT BILL 2020Amendments circulated by Ms Crozier

1. Clause 1, page 2, after line 11 insert—

- "(v) to provide for disability workers regulated under the NDIS to not be subject to an approved code of conduct when in the course of providing services under the NDIS; and".

NEW CLAUSES

2. Insert the following New Clauses to follow clause 6—

6A Unregistered disability workers to comply with approved code of conduct

At the end of section 117 of the Principal Act **insert**—

- "(2) This section does not apply to an unregistered disability worker in the course of providing disability services to persons with a disability under the NDIS.

Note

A disability worker who is regulated under the NDIS is not regulated by an approved code of conduct when in the course of providing services under the NDIS."

6B Investigation of complaints by Commission

- (1) Section 119(1)(b)(i), (ii) and (iv) of the Principal Act are **repealed**.
 (2) In section 119(1)(b)(v) of the Principal Act **omit** "a banning order issued under section 73ZN of the NDIS Act or".

6C Power of Commission to conduct a Commission initiated investigation

- (1) Section 121(b)(i), (ii) and (iv) of the Principal Act are **repealed**.
 (2) In section 121(b)(v) of the Principal Act **omit** "a banning order issued under section 73ZN of the NDIS Act or".

6D Action to be taken after investigation ends

In section 129(a)(iv) of the Principal Act **omit** "the NDIS Quality and Safeguards Commission or".

3. CRIMES AMENDMENT (MANSLAUGHTER AND RELATED OFFENCES) BILL 2020

Amendments circulated by Ms Maxwell

1. Clause 1, page 2, lines 15 to 16, omit all words and expressions on these lines.
2. Clause 3, line 5, omit "level 2 imprisonment (25 years maximum)" and insert "level 1 imprisonment (life)".
3. Clause 4, lines 14 to 15, omit "level 2 imprisonment (25 years maximum)" and insert "level 1 imprisonment (life)".
4. Clause 5, line 23, omit "level 2 imprisonment (25 years maximum)" and insert "level 1 imprisonment (life)".
5. Division heading preceding clause 21, omit this heading.
6. Clause 21, omit this clause.
7. Clause 22, omit this clause.

4. GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019

Amendments circulated by Mr Grimley

1. Clause 56, page 43, line 1, omit "directors." and insert "directors; and".
2. Clause 56, page 43, after line 1 insert—
 - "(e) at least 3 local residents from within a municipal district of the relevant municipal councils; and
 - (f) at least 3 business owners from within a municipal district of the relevant municipal councils."

Amendments circulated by Mr Meddick

1. Clause 3, page 7, after line 3 insert—

"Bells Beach Subcommittee means a subcommittee appointed under section 49A;

Bells Beach Surfing Recreational Reserve means the coastal land between the Southside Car Park and Wave Car Park, including coastal land either side of Bells Beach Road;"
2.

NEW CLAUSE

Insert the following New Clause to follow clause 49—

"49A Bells Beach Subcommittee

 - (1) Despite anything in this Act, the Authority must appoint a subcommittee in respect of the Bells Beach Surfing Recreational Reserve.
 - (2) The function of the Bells Beach Subcommittee is to provide planning advice to the Authority.
 - (3) The Bells Beach Subcommittee consists of 10 members including—
 - (a) 5 surfers who have no financial or vested interests regarding the Bells Beach Surfing Recreational Reserve, one of whom has knowledge of the environment or of biodiversity; and
 - (b) one non-surfer to represent the general community of users of the Reserve; and
 - (c) one Aboriginal person; and
 - (d) one representative of Surfing Victoria; and
 - (e) two other members that the Subcommittee considers are suitable, which may include one representative of the Authority.
 - (4) The Minister and each responsible entity must consider any advice provided by the Bells Beach Subcommittee in the performance of their functions or exercise of their powers under this Act.
 - (5) If the Minister or a responsible entity disregards the advice of the Bells Beach Subcommittee, the reasons for doing so must be published on the Internet site of the Department or the responsible entity."

Amendments circulated by Ms Pulford

1. Clause 48, page 39, line 30, omit "strategy." and insert "strategy; and".
2. Clause 48, page 39, after line 30 insert—
 - "(g) engage with local communities in the development of public land management plans and policies that are of particular relevance to those local communities."
3. Clause 48, page 39, after line 33 insert—
 - "(5) The Authority must publish on its Internet site a report on the outcome of each engagement with a local community.