



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 159 — Thursday, 26 May 2022

Proof Version

1 The President took the Chair at 10.04 a.m., read the Prayer and made an Acknowledgement of Country.

2 **PAPERS —**

VICTORIAN GOVERNMENT RESPONSE TO THE REVIEW OF THE CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) ACT 2017 —

Ms Symes moved, by leave, That there be laid before this House a copy of the Victorian Government Response to the Review of the *Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017*.

Question — put and agreed to.

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

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ENVIRONMENT AND PLANNING COMMITTEE — INQUIRY INTO RENEWABLE ENERGY IN VICTORIA —

Pursuant to Standing Order 23.29, Ms Terpstra presented a Report from the Environment and Planning Committee on the Inquiry into renewable energy in Victoria (including an Appendix, Extracts of Proceedings and Minority Reports), and further presented Transcripts of Evidence.

Ordered that the Transcripts of Evidence lie on the Table and the Report be published.

Ms Terpstra moved, That the Council take note of the Report.

Debate ensued.

Question — put and agreed to.

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PAPER PURSUANT TO STATUTE — The following Paper, pursuant to the direction of an Act of Parliament, was laid on the Table by the Clerk:

Children, Youth and Families Act 2005 — Review of the *Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017*, May 2022, under section 492B(4) of the Act.

3 **SITTING OF THE COUNCIL —** Ms Stitt moved, That the Council, at its rising, adjourn until Tuesday, 7 June 2022.

Question — put and agreed to.

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 **BUSINESS POSTPONED —** Ordered — That the consideration of Notices of Motion, Government Business, Nos. 683 to 746, be postponed until later this day.

- 6 UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN AMENDMENT 122** — Ms Stitt moved, That, pursuant to section 46D(1)(c) of the *Planning and Environment Act 1987*, Amendment 122 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved.

Debate ensued.

Question — put and agreed to.

- 7 AGRICULTURE LEGISLATION AMENDMENT BILL 2022** — Debate resumed on the question, That the Bill be now read a second time.

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

Question — put and agreed to.

Bill read a second time.

The President having ruled that certain amendments proposed to be moved in Committee by Dr Ratnam were outside the scope of the Bill —

Dr Ratnam moved, That it be an instruction to the Committee that they have power to consider amendments and New Clauses to amend the *Agricultural and Veterinary Chemicals (Control of Use) Act 1992* to prohibit the sale of certain rodenticides.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 19

Mr Atkinson; Dr Bach; Mr Barton; Ms Bath; Ms Burnett-Wake; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Ms Lovell; Ms Maxwell; Mr Meddick; Mr Ondarchie; Ms Patten; 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, 15

Mr Elasmarr; Mr Erdogan; Mr Gepp; Dr Kieu; Mr Leane; Mr Melhem; Ms Pulford; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Watt.

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

Question agreed to.

Bill committed to a Committee of the whole.

House in Committee.

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.

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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:

- **Labelling of fur products** — substantive and supplementary questions asked by Mr Meddick — response from Mr Leane due Monday, 30 May 2022.
- **Cranbourne SES unit** — substantive question asked by Mr Rich-Phillips — response from Ms Symes due Friday, 27 May 2022.
- **Disclosure scheme for registered sex offenders** — substantive and supplementary questions asked by Mr Grimley — response from Ms Tierney due Monday, 30 May 2022.
- **Emergency Management Victoria review of performance of the Emergency Services Telecommunications Authority** — substantive question asked by Mr Davis — response from Ms Symes due Friday, 27 May 2022.
- **Sunshine transport precinct funding** — substantive and supplementary questions asked by Dr Cumming — response from Ms Pulford due Monday, 30 May 2022.

- **Commercial Passenger Vehicles Victoria – disciplinary action against taxi driver** — substantive and supplementary questions asked by Mr Barton — response from Ms Pulford due Monday, 30 May 2022.

9 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 15 September 2020.

10 AGRICULTURE LEGISLATION AMENDMENT BILL 2022 — Bill further considered in Committee of the whole.

Bill reported with an amendment, the Report was adopted.

Ms Tierney 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, 30

Mr Atkinson; Dr Bach; Mr Barton; Ms Bath; Ms Burnett-Wake; Ms Crozier; Mr Davis; Mr Elasmir; Mr Erdogan; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mr Melhem; Mr Ondarchie; Ms Patten; Ms Pulford; Dr Ratnam; Mr Rich-Phillips; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Watt.

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

NOES, 4

Dr Cumming; Mr Finn; Mr Meddick; Mr Quilty.

(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 an amendment and requesting their agreement.

11 VICTIMS OF CRIME (FINANCIAL ASSISTANCE SCHEME) BILL 2022 — 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.

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

On the motion of Ms Taylor, the meal break scheduled for this day, pursuant to Sessional Order 1, was suspended.

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.

12 PANDEMIC DECLARATION ACCOUNTABILITY AND OVERSIGHT COMMITTEE MEMBERSHIP — The President read a letter from Mr Bourman resigning from the Pandemic Declaration Accountability and Oversight Committee, effective from today.

13 APPROPRIATION (2022–2023) BILL 2022 — The President read a Message from the Assembly presenting *A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2022/2023 and for other purposes* and requesting the agreement of the Council.

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

Ms Symes 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 Symes, the second reading speech was incorporated into Hansard.

Ms Symes 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.

- 14 APPROPRIATION (PARLIAMENT 2022–2023) BILL 2022** — The President read a Message from the Assembly presenting *A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2022/2023 and for other purposes* and requesting the agreement of the Council.

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

Ms Symes 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 Symes, the second reading speech was incorporated into Hansard.

Ms Symes 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.

- 15 STATE TAXATION AND TREASURY LEGISLATION AMENDMENT BILL 2022** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Borrowing and Investment Powers Act 1987, the Duties Act 2000, the Essential Services Commission Act 2001, the Land Tax Act 2005, the Payroll Tax Act 2007, the Taxation Administration Act 1997 and the Windfall Gains Tax and State Taxation and Other Acts Further Amendment Act 2021, to make consequential amendments to other Acts and for other purposes* and requesting the agreement of the Council.

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

Ms Symes 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 Symes, the second reading speech was incorporated into Hansard.

Ms Symes 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.

- 16 ADJOURNMENT** — Ms Symes 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 7.00 p.m., adjourned until Tuesday, 7 June 2022.

ANDREW YOUNG
Clerk of the Legislative Council