



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 115 — Thursday, 5 August 2021

Proof Version

1 The President took the Chair at 10.06 a.m., read the Prayer and made an Acknowledgement of Country.

2 **COMMERCIAL TENANCY RELIEF SCHEME BILL 2021** — The President read a Message from the Assembly presenting *A Bill for an Act to temporarily empower the making of regulations to modify the application of the law of Victoria in relation to certain commercial leases and licences and for other purposes* and requesting the agreement of the Council.

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

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

Ms Pulford moved, That the Bill be now read a second time.

On the motion of Mr Davis, by leave, the debate was adjourned until later this day.

3 **PETITION — BREAST SCREENING PROGRAM** — Mr Davis presented a Petition bearing 84 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.

4 **PAPERS** —

PLAN MELBOURNE 2017-2050 — 2020 REPORT ON PROGRESS — Ms Stitt moved, by leave, That there be laid before this House a copy of the Plan Melbourne 2017-2050, 2020 Report on Progress.

Question — put and agreed to.

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

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LEGAL AND SOCIAL ISSUES COMMITTEE — INQUIRY INTO THE USE OF CANNABIS IN VICTORIA — Pursuant to Standing Order 23.29, Ms Patten laid on the Table a Report from the Legal and Social Issues Committee on the Inquiry into the use of cannabis 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 Patten moved, That the Council take note of the Report.

Debate ensued.

Question — put and agreed to.

PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk:

Child Wellbeing and Safety Act 2005 — Child Link Two-Year Review, Final Report, under section 46X of the Act.

Falls Creek Alpine Resort Management Board — Report, 2020.

Mount Buller and Mount Stirling Alpine Resort Management Board — Report, 2020.

Mount Hotham Alpine Resort Management Board — Report, 2020.

Professional Standards Act 2003 —

Australian Institute of Building Surveyors Limited Professional Standards Scheme (Gazette No. G26, 1 July 2021).

Australian Property Institute Valuers Limited Professional Standards Scheme (Gazette No. G26, 1 July 2021).

Public Health and Wellbeing Act 2008 — 17th Report to Parliament on the State of Emergency, under section 198(8A) of the Act.

Southern Alpine Resort Management Board — Report, 2020.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 72, 73, 87 and 94.

Victorian Environmental Assessment Council Act 2001 — Government Response to the Victorian Environmental Assessment Council's Assessment of Victoria's Coastal Reserves Final Report.

5 SITTING OF THE COUNCIL — Ms Symes moved, That the Council, at its rising, adjourn until Tuesday, 17 August 2021.

Question — put and agreed to.

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

7 COMMERCIAL TENANCY RELIEF SCHEME 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 —

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:

- **Veterinary staff shortages** — substantive and supplementary questions asked by Mr Meddick — response from Ms Symes due Monday, 9 August 2021.
- **Mental health impacts on workforce** — substantive and supplementary questions asked by Ms Patten — response from Ms Symes due Monday, 9 August 2021.
- **Lockdown impacts on mental health** — supplementary question asked by Mr Quilty — response from Ms Symes due Monday, 9 August 2021.

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

10 COMMERCIAL TENANCY RELIEF SCHEME BILL 2021 — 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 without amendment, the Report was adopted.

Ms Pulford moved, That the Bill be now read a third time.

Debate ensued.

Question — That the Bill be now read a third time and do pass — put.

The Council divided — The President in the Chair.

AYES, 31

Mr Atkinson; Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Mr Ondarchie; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Watt.

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

NOES, 2

Dr Cumming; 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 without amendment.

11 NON-EMERGENCY PATIENT TRANSPORT 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 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.

12 PRIVILEGES COMMITTEE REFERENCE — BREACH OF COMMITTEE DELIBERATIONS AND REPORT CONTENTS — Mr Atkinson moved, by leave, That this House —

(1) notes that on 5 August 2021, *The Age* newspaper and online reported the private deliberations and certain report contents in relation to the Legal and Social Issues Committee's Report on the Inquiry into the use of cannabis in Victoria before such report was tabled in the House;

(2) further notes that the article purports to quote a Member of Parliament speaking anonymously to the reporter;

(3) requires the Privileges Committee to inquire into and report to the House —

(a) on the breach of Committee deliberations and report contents;

(b) on any persons who have committed a contempt of Parliament; and

(c) on any sanctions recommended.

Debate ensued.

Question — put and agreed to.

13 PRIVILEGES COMMITTEE MEMBERSHIP — Mr Atkinson moved, by leave, That Ms Crozier be discharged from the Privileges Committee and Mr Davis be appointed in her place.

Question — put and agreed to.

14 JUDICIAL PROCEEDINGS REPORTS AMENDMENT BILL 2021 — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Judicial Proceedings Reports Act 1958 in relation to certain sunset provisions, to provide for victim privacy orders 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 Mr Ondarchie (for Mr O'Donohue), the debate was adjourned for one week.

15 POLICE INFORMANTS ROYAL COMMISSION IMPLEMENTATION MONITOR BILL 2021 —

The President read a Message from the Assembly presenting *A Bill for an Act to establish the Police Informants Royal Commission Implementation Monitor 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 O'Donohue), the debate was adjourned for one week.

16 ADJOURNMENT — Ms Symes moved, That the House do now adjourn.

Debate ensued.

And then the Council, at 5.59 p.m., adjourned until Tuesday, 17 August 2021.

ANDREW YOUNG
Clerk of the Legislative Council