



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 107 — Tuesday, 8 June 2021

Proof Version

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- 1 The President took the Chair at 11.36 a.m., read the Prayer and made an Acknowledgement of Country.
 - 2 **ASSENT TO ACT** — The President read a Message from the Governor informing the Council that she had, on 1 June 2021, given the Royal Assent to the following Act presented to her by the Clerk of the Parliaments:
Zero and Low Emission Vehicle Distance-based Charge Act 2021.
 - 3 **TEMPORARY ORDERS — BUSINESS OF THE HOUSE** — Ms Symes moved, by leave, That Standing and Sessional Orders be suspended to the extent necessary to allow the following temporary arrangements to come into effect immediately and remain in place until the House resolves otherwise —
 1. **Definition of Chamber**
The lower public galleries and the President's lower galleries are taken to be part of the Legislative Council Chamber.
 2. **Discretion in ringing the bells to form a quorum**
 - (1) At the start of each day a quorum of 14 members must be present in the Chamber in order for the President to take the Chair and the sitting to proceed.
 - (2) To assist with social distancing, the House gives the Chair further discretion in ringing the bells to form a quorum during the course of the sitting day under Standing Order 4.03(2), provided the Chair is confident that a quorum is present within the parliamentary precinct.
 3. **Members may incorporate their speeches for bills**
 - (1) If a Member wishes to incorporate their speech for the debate of the second reading of any bills debated they must electronically provide their speech to the Clerk (by email to council@parliament.vic.gov.au) by the time the House adjourns on the day the bill was debated.
 - (2) Incorporated speeches will be published in Hansard after all second reading speeches made in the House (if any) for each Bill and before the Minister's reply (if any).
 - (3) If any matter contains unbecoming expressions or does not comply with the rules of debate, the President may direct that the matter be removed or amended before it is published.

Question — put and agreed to.
 - 4 **INTEGRITY AND OVERSIGHT COMMITTEE MEMBERSHIP** — The President read a letter from Mr Stephen McGhie, Member for Melton, resigning from the Integrity and Oversight Committee, effective from Monday, 7 June 2021.

5 QUESTIONS AND MINISTERS' STATEMENTS — Questions without notice were taken and Ministers' Statements were made pursuant to Sessional Order 13.

SOLE TRADER FINANCIAL SUPPORT — Ms Pulford having given answers to a question without notice and supplementary question relating to sole trader financial support —

On the motion of Mr Davis, 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.

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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:

- **Vaccination rates for the Departmental staff of the Minister for Small Business** — substantive question asked by Mr Davis — response from Ms Pulford due Wednesday, 9 June 2021.
- **Public housing COVID-19 information** — substantive and supplementary questions asked by Dr Ratnam — response from Ms Stitt due Thursday, 10 June 2021.
- **Funding for medically supervised injection centres** — substantive and supplementary questions asked by Dr Cumming — response from Ms Symes due Thursday, 10 June 2021.

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

7 PAPERS —

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — ALERT DIGEST — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Mr Gepp presented Alert Digest No. 7 of 2021 (including Appendices) from the Scrutiny of Acts and Regulations Committee.

Ordered to be published.

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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 9 May 2021 giving approval to the granting of a licence at Alexandra Gardens Reserve.

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

- Bayside Planning Scheme — Amendment C181.
- Benalla Planning Scheme — Amendment C33.
- Casey Planning Scheme — Amendment C283.
- Central Goldfields Planning Scheme — Amendment C28.
- Corangamite Planning Scheme — Amendment C54.
- Darebin Planning Scheme — Amendment C185.
- Gannawarra Planning Scheme — Amendment C44.
- Glenelg Planning Scheme — Amendment C99.
- Latrobe Planning Scheme — Amendments C122 and C128.
- Melton Planning Scheme — Amendment C198.
- Moonee Valley Planning Scheme — Amendment C220.
- Surf Coast Planning Scheme — Amendment C135.
- Victoria Planning Provisions — Amendment VC189.
- West Wimmera Planning Scheme — Amendment C36.
- Yarra Ranges Planning Scheme — Amendment C187.

Statutory Rules under the following Acts of Parliament —

- Dangerous Goods Act 1985 — No. 49.
- Environment Protection Act 2017 — Nos. 47 and 48.
- Land Acquisition and Compensation Act 1986 — No. 50.
- Public Health and Wellbeing Act 2008 — No. 51.

Subordinate Legislation Act 1994 —

- Documents under section 15 in respect of Statutory Rule Nos. 44, 49 and 51.

Legislative instrument and related documents under section 16B in respect of Code of Conduct for Professional Engineers of 26 May 2021, under the Professional Engineers Registration Act 2019.

8 BUSINESS OF THE COUNCIL — Mr Quilty moved, by leave, That precedence be given to the following General Business on Wednesday, 9 June 2021 —

- (1) Order of the Day No. 3, resumption of debate on the second reading of the Emergency Powers Safeguards Legislation Amendment Bill 2021;
- (2) Notice of Motion No. 574 standing in the name of Mr Davis revoking Hume Planning Scheme Amendment C248;
- (3) the notice of motion given this day by Mr Davis on the release of health advice that has led to the COVID-19 lockdowns;
- (4) Notice of Motion No. 532 standing in the name of Mr Hayes on foreign property investors and money laundering in real estate;
- (5) Notice of Motion No. 543 standing in the name of Mr Hayes on protecting Melbourne's green wedges; and
- (6) Notice of Motion No. 552 standing in the name of Mr Grimley referring a matter to the Procedure Committee relating to photography in the Chamber.

Question — put and agreed to.

9 ENVIRONMENT AND PLANNING COMMITTEE — EXTENSION TO REPORTING DATE — INQUIRY INTO ECOSYSTEM DECLINE IN VICTORIA — Ms Terpstra moved, by leave, That the resolution of the Council of 30 October 2019 and 17 March 2021 and the resolution of the Committee of 1 June 2020 requiring the Environment and Planning Committee to inquire into, consider and report, by 30 September 2021, on the decline of Victoria's ecosystems and measures to restore habitats and populations of threatened and endangered species, be amended so as to now require the Committee to present its report by 31 October 2021.

Question — put and agreed to.

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

11 GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING TAX) 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, by leave, 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 STATE TAXATION AND MENTAL HEALTH ACTS AMENDMENT BILL 2021 — Debate resumed on the question, That the Bill be now read a second time.

Amendments and suggested amendments proposed to be moved in Committee by Dr Bach and Dr Ratnam were circulated.

Question — put.

The Council divided — The President in the Chair.

AYES, 24

Mr Barton; Mr Bourman; Mr Elasmar; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Dr Ratnam; 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)

NOES, 14

Mr Atkinson; Dr Bach; Ms Bath; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Limbrick; Ms Lovell; 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)

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 —

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.

Ms Symes 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, 24

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

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Mr Atkinson; Dr Bach; Ms Bath; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Limbrick; Ms Lovell; 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)

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.

13 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 8.29 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council