



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 131 — Thursday, 28 October 2021

Proof Version

1 The President took the Chair at 10.05 a.m., read the Prayer and made an Acknowledgement of Country.

2 **UPDATE ON COVID-19 VACCINATION REQUIREMENTS FOR MEMBERS OF THE LEGISLATIVE COUNCIL — CLERK'S UPDATE REPORT TO THE HOUSE** — Pursuant to paragraph (6) of an Order of the Council on 14 October 2021, and further to an email to Members today, the Clerk reported to the House that Dr Cumming had now met the requirements of paragraph (3) of the Order and her suspension had been lifted.

3 **PETITION — ABANDON PLAN TO SHOOT BARMAH BRUMBIES** — Ms Lovell presented a Petition bearing 2,463 signatures from certain citizens of Victoria requesting that the Legislative Council call upon the Minister for Energy, Environment and Climate Change to abandon all planned action under the current joint management plan for the Barmah National Park to remove brumbies, to release the last five annual floodplain marshes condition reports and brumby population aerial count photos, and commence an immediate review into allegations made about the impacts and damages caused by brumbies and other introduced species in the Barmah National Park.

Ordered to lie on the Table.

On the motion of Ms Lovell, the petition was ordered to be taken into consideration on the next day of meeting.

4 **PAPERS** —

VISIT VICTORIA LIMITED REPORT, 2020-21 — Ms Pulford moved, by leave, That there be laid before this House a copy of the Visit Victoria Limited Report, 2020-21.

Question — put and agreed to.

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

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VICTORIA LAW FOUNDATION REPORT, 2020-21 — Ms Symes moved, by leave, That there be laid before this House a copy of the Victoria Law Foundation Report, 2020-21.

Question — put and agreed to.

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

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CONSUMER POLICY RESEARCH CENTRE REPORT, 2020-21 — Ms Symes (for Mr Leane) moved, by leave, That there be laid before this House a copy of the Consumer Policy Research Centre Report, 2020-21.

Question — put and agreed to.

The Report was presented by Ms Symes 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:

- Accident Compensation Conciliation Service (ACCS) — Report, 2020-21.
- Adult Parole Board of Victoria — Report, 2020-21.
- Adult, Community and Further Education Board — Report, 2020-21.
- Advancing the Treaty Process with Aboriginal Victorians Act 2018 — under section 43 of the Act —
 - Advancing the Victorian Treaty Process — Report, 2020-21.
 - First Peoples' Assembly of Victoria — Report, 2021.
- Agriculture Victoria Services Pty Ltd — Report, 2020-21.
- Alfred Health — Report, 2020-21.
- Ambulance Victoria — Report, 2020-21.
- AMES Australia — Report, 2020-21.
- Architects Registration Board of Victoria — Minister's report of receipt of the 2020-21 report.
- Austin Health — Report, 2020-21.
- Australian Centre for the Moving Image (ACMI) — Report, 2020-21.
- Australian Grand Prix Corporation — Report, 2020-21.
- Bairnsdale Regional Health Service — Report, 2020-21.
- Ballarat General Cemeteries Trust — Report, 2020-21.
- Barwon Region Water Corporation — Report, 2020-21.
- Beaufort and Sipton Health Service — Report, 2020-21.
- Bendigo Health — Report, 2020-21.
- Calvary Health Care Bethlehem Limited — Report, 2020-21.
- Cenitex — Report, 2020-21.
- Central Gippsland Region Water Corporation — Report, 2020-21.
- Central Highlands Region Water Corporation — Report, 2020-21.
- City West Water Corporation — Report, 2020-21.
- Climate Change Act 2017 — Victorian Greenhouse Gas Emissions Report 2019, under section 52 of the Act.
- Coliban Region Water Corporation — Report, 2020-21.
- Commercial Passenger Vehicles Commission — Report, 2020-21.
- Commission for Children and Young People — Report, 2020-21 (*Ordered to be published*).
- Confiscation Act 1997 —
 - Asset Confiscation Operations Report, 2020-21.
 - Report, 2019-20 by the Chief Commissioner of Victoria Police, under section 139A of the Act.
- Consumer Affairs Victoria — Report, 2020-21 (*Ordered to be published*).
- Corangamite Catchment Management Authority — Report, 2020-21.
- Coroners Court of Victoria — Report, 2020-21.
- Coronial Council of Victoria — Report, 2020-21.
- Criminal Organisations Control Act 2012 — Report, 2020-21 by Victoria Police, under section 133 of the Act.
- Dairy Food Safety Victoria — Report, 2020-21.
- Dental Health Services Victoria — Report, 2020-21.
- Development Victoria — Report, 2020-21.
- Disability Services Commissioner — Report, 2020-21.
- Docklands Studios Melbourne Pty Ltd — Report, 2020-21.
- Duties Act 2000 — Treasurer's Report of Corporate Reconstruction and Consolidation Concessions and Exemptions for 2020-21, under section 250B(4) of the Act.
- East Gippsland Catchment Management Authority — Report, 2020-21.
- East Gippsland Region Water Corporation — Report, 2020-21.
- Eastern Health — Report, 2020-21.
- Echuca Regional Health — Report, 2020-21.
- Edenhope and District Memorial Hospital — Report, 2020-21.
- Education and Training Department — Report, 2020-21.

- Electoral Boundaries Commission — Report on the Redivision of Victorian Electoral Boundaries 2020-2021, October 2021.
- Emergency Services Superannuation Scheme (ESSSuper) — Report, 2020-21.
- Emergency Services Telecommunications Authority (ESTA) — Report, 2020-21.
- Energy Safe Victoria — Report, 2020-21.
- Environment, Land, Water and Planning Department — Report, 2020-21.
- Evidence (Miscellaneous Provisions) Act 1958 — Report, 2020-21 by Victoria Police, under section 42BI of the Act.
- Families, Fairness and Housing Department — Report, 2020-21.
- Fed Square Pty Ltd — Report, 2020-21.
- Film Victoria — Report, 2020-21.
- Financial Management Act 1994 —
- Explanation from the Assistant Treasurer under section 46(3)(a) of the Act, for the delay of the Essential Services Commission Report, 2020-21.
 - Explanation from the Minister for Consumer Affairs, Gaming and Liquor Regulation under section 46(3)(a) of the Act, for the delay of the 2020-21 Reports of the —
 - Recreational Fishing Licencing Trust Account (RFLTA).
 - Victorian Commission for Gambling and Liquor Regulation (VCGLR).
 - Victorian Responsible Gambling Foundation (VRGF).
 - Explanation from the Minister for Energy, Environment and Climate Change under section 46(3)(a) and (b) of the Act, for the delay of the 2020-21 Reports of the —
 - Alpine Resorts Coordinating Council.
 - Barwon South West Waste and Resource Recovery Group.
 - Caulfield Racecourse Reserve Trust.
 - Commissioner for Environmental Sustainability.
 - Dhelkunya Dja Land Management Board.
 - Environment Protection Authority (EPA).
 - Gippsland Waste and Resource Recovery Group.
 - Goulburn Valley Waste and Resource Recovery Group.
 - Grampians Central West Waste and Resource Recovery Group.
 - Great Ocean Road Coast and Parks Authority.
 - Gunaikurnai Traditional Owner Land Management Board.
 - Loddon Mallee Waste and Resource Recovery Group.
 - Metropolitan Waste and Resource Recovery Group.
 - North East Waste and Resource Recovery Group.
 - Royal Botanic Gardens Board.
 - Sustainability Victoria.
 - Trust for Nature.
 - Yorta Yorta Traditional Owner Land Management Board.
 - Explanation from the Minister for Health under section 46(3)(a) of the Act, for the delay of the 2020-21 Reports of the —
 - Albury Wodonga.
 - Alexandra District Hospital.
 - Alpine Health.
 - Ballarat Health Services.
 - Barwon Health.
 - Bass Coast Health.
 - Beechworth Health Service.
 - Beechworth Health.
 - Benalla Health.
 - Boort District Health.
 - Casterton Memorial Hospital.
 - Castlemaine Health.
 - Central Gippsland Health Service.
 - Central Highlands Rural Health.
 - Cohuna District Hospital.

Colac Area Health.
 Corryong Health.
 Djerriwarrh Health Services.
 East Grampians Health Service.
 East Wimmera Health Service.
 Goulburn Valley Health.
 Great Ocean Road Health.
 Heathcote Health Service.
 Hesse Rural Health Service.
 Heywood Rural Health.
 Inglewood and Districts Health Service.
 Kerang District Health.
 Kilmore District Health.
 Kyabram and District Health Services.
 Maldon Hospital.
 Mansfield District Hospital.
 Mildura Base Hospital.
 Mildura Cemetery Trust.
 Moyne Health Services.
 NCN Health (formerly Cobram, Nathalia & Numurkah and District Health Service).
 Northeast Health Wangaratta.
 Omeo District Health.
 Orbost Regional Health.
 Peninsula Health.
 Portland District Health.
 Radiation Advisory Committee.
 Rural Northwest Health.
 Seymour Health.
 South Gippsland Hospital.
 South West Healthcare.
 Stawell Regional Health.
 Swan Hill District Health.
 Tallangatta Health Service.
 Terang and Mortlake Health Service.
 Timboon and District Healthcare Service.
 Tweddle Child and Family Health Service.
 Victorian Assisted Reproductive Treatment Authority.
 Victorian Pharmacy Authority.
 West Gippsland Healthcare Group.
 West Wimmera Health Service.
 Western District Health Service.
 Wimmera Health Care Group.
 Yarram and District Health Service.
 Yarrawonga Health.
 Yea and District Memorial Hospital.

Explanation from the Minister for Multicultural Affairs under section 46(3)(a) of the Act, for the delay of the Victorian Interpreting and Translating Service (VITS) Language Loop Report, 2020-21.

Explanation from the Minister for Planning under section 46(3)(a) of the Act, for the delay of the 2020-21 Reports of the —

- Cladding Safety Victoria.
- Heritage Council of Victoria.
- Surveyors Registration Board of Victoria.
- Victorian Building Authority.
- Victorian Planning Authority.

Explanation from the Treasurer under section 46(3)(a) of the Act, for the delay of the Victorian Plantations Corporation (VPC) Report, 2020-21.

Forensic Leave Panel — Report, 2020-21.

Game Management Authority — Report, 2020-21.

Geelong Cemeteries Trust — Report, 2020-21.

Geelong Performing Arts Centre Trust — Report, 2020-21.

Geoffrey Gardiner Dairy Foundation Limited — Report, 2020-21.

Gippsland and Southern Rural Water Corporation — Report, 2020-21.

Gippsland Southern Health Service — Report, 2020-21.

Glenelg Hopkins Catchment Management Authority — Report, 2020-21.

Goulburn Broken Catchment Management Authority — Report, 2020-21.

Goulburn Valley Region Water Corporation — Report, 2020-21.

Goulburn-Murray Rural Water Corporation — Report, 2020-21.

Grampians Wimmera Mallee Water Corporation (GWM Water) — Report, 2020-21.

Greater Metropolitan Cemeteries Trust — Report, 2020-21.

Greyhound Racing Victoria — Report, 2020-21.

Harness Racing Victoria — Report, 2020-21.

Health Department — Report, 2020-21.

Health Purchasing Victoria (HealthShare Victoria) — Report, 2020-21.

Independent Broad-based Anti-corruption Commission — Report, 2020-21 (*Ordered to be published*).

Infrastructure Victoria — Report, 2020-21.

Jobs, Precincts and Regions Department — Report, 2020-21.

Justice and Community Safety Department — Report, 2020-21.

Kardinia Park Stadium Trust — Report, 2020-21.

Kooweerup Regional Health Service — Report, 2020-21.

Labour Hire Licensing Authority — Report, 2020-21.

Latrobe Regional Hospital — Report, 2020-21.

Legal Practitioners' Liability Committee — Report, 2020-21.

Legal Services Council and Commissioner for Uniform Legal Services Regulation — Report, 2020-21.

Library Board of Victoria — Report, 2020-21.

Lower Murray Urban and Rural Water Corporation — Report, 2020-21.

Mallee Catchment Management Authority — Report, 2020-21.

Mallee Track Health and Community Service — Report, 2020-21.

Maryborough District Health Service — Report, 2020-21.

Melbourne Convention and Exhibition Trust — Report, 2020-21.

Melbourne Health (Royal Melbourne Hospital) — Report, 2020-21.

Melbourne Market Authority — Report, 2020-21.

Melbourne Port Lessor Pty Ltd — Report, 2020-21.

Melbourne Recital Centre — Report, 2020-21.

Melbourne Water Corporation — Report, 2020-21.

Mental Health Complaints Commissioner — Report, 2020-21.

Mental Health Tribunal — Report, 2020-21.

Mercy Hospitals Victoria Ltd — Report, 2020-21.

Mine Land Rehabilitation Authority — Report, 2020-21.

Monash Health — Report, 2020-21.

Murray Valley Winegrape Industry Development Committee — Minister's report of receipt of the 2020-21 report.

Museums Board of Victoria — Report, 2020-21.

National Gallery of Victoria (NGV) — Report, 2020-21.

North Central Catchment Management Authority — Report, 2020-21.

North East Catchment Management Authority — Report, 2020-21.

North East Region Water Corporation — Report, 2020-21.

Northern Health — Report, 2020-21.

Office of Public Prosecutions — Report, 2020-21.

Office of the National Rail Safety Regulator — Report, 2020-21.
 Ombudsman — Report, 2020-21 (*Ordered to be published*).
 Parks Victoria — Report, 2020-21.
 Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2020-21 Budget Estimates.
 Peter MacCallum Cancer Centre — Report, 2020-21.
 Phillip Island Nature Parks — Report, 2020-21.
 Phytogene Pty Ltd — Minister's report of receipt of the 2020-21 report.
 Police Registration and Services Board — Report, 2020-21.
 Port of Hastings Development Authority — Report, 2020-21.
 Port Phillip and Westernport Catchment Management Authority — Report, 2020-21.
 Portable Long Service Benefits Authority — Report, 2020-21.
 Post Sentence Authority — Report, 2020-21.
 Premier and Cabinet Department — Report, 2020-21.
 PrimeSafe — Report, 2020-21.
 Public Interest Monitor — Report, 2020-21.
 Queen Elizabeth Centre — Report, 2020-21.
 Queen Victoria Women's Centre Trust — Minister's report of receipt of the 2020-21 report.
 Racing Integrity Commissioner — Report, 2020-21.
 Regional Development Victoria — Report, 2020-21.
 Remembrance Parks Central Victoria — Report, 2020-21.
 Renewable Energy (Jobs and Investment) Act 2017 — Victorian Renewable Energy Target — Progress Report, 2020-21, under section 8 of the Act.
 Residential Tenancies Bond Authority — Report, 2020-21.
 Respect Victoria — Report, 2020-21.
 Robinvale District Health Services (RDHS) — Report, 2020-21.
 Rochester and Elmore District Health Service — Report, 2020-21.
 Rolling Stock (Victoria-VL) Pty Limited — Report, 2020-21.
 Rolling Stock (VL-1) Pty Limited — Report, 2020-21.
 Rolling Stock (VL-2) Pty Limited — Report, 2020-21.
 Rolling Stock (VL-3) Pty Limited — Report, 2020-21.
 Rolling Stock Holdings (Victoria) Pty Limited — Report, 2020-21.
 Royal Children's Hospital — Report, 2020-21.
 Royal Victorian Eye and Ear Hospital — Report, 2020-21.
 Royal Women's Hospital — Report, 2020-21.
 Sentencing Advisory Council — Report, 2020-21.
 Shrine of Remembrance Trustees — Report, 2020-21.
 South East Water Corporation — Report, 2020-21.
 South Gippsland Region Water Corporation — Report, 2020-21.
 Southern Metropolitan Cemeteries Trust — Report, 2020-21.
 St Vincent's Hospital (Melbourne) Limited — Report, 2020-21.
 State Electricity Commission of Victoria — Report, 2020-21.
 State Sport Centres Trust — Report, 2020-21.
 State Trustees Limited — Report, 2020-21.
 Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule No. 133.
 Surveillance Devices Act 1999 — Reports under section 30L of the Act for —
 2020-21 by the Australian Criminal Intelligence Commission.
 2019-20 by the Department of Environment, Land, Water and Planning.
 2020-21 by the Game Management Authority.
 2019-20 by Victoria Police.
 2020-21 by Victoria Police.
 Surveyor-General — Report, 2020-21 on the administration of the Survey Co-ordination Act 1958.
 Transport Accident Commission (TAC) — Report, 2020-21.
 Transport Department — Report, 2020-21.

Treasury and Finance Department — Report, 2020-21.
Treasury Corporation of Victoria — Report, 2020-21.
V/Line Corporation — Report, 2020-21.
Veterinary Practitioners Registration Board of Victoria — Minister's report of receipt of the 2020-21 report.
Victims of Crime Assistance Tribunal — Report, 2020-21.
Victims of Crime Commissioner — Report, 2020-21.
Victoria Police — Report, 2020-21.
Victorian Arts Centre Trust — Report, 2020-21.
Victorian Catchment Management Council — Report, 2020-21.
Victorian Curriculum and Assessment Authority — Report, 2020-21.
Victorian Disability Worker Commission and Disability Worker Registration Board of Victoria — Report, 2019-21.
Victorian Electoral Commission — Report, 2020-21.
Victorian Environmental Assessment Council — Report, 2020-21.
Victorian Environmental Water Holder — Report, 2020-21.
Victorian Fisheries Authority — Report, 2020-21.
Victorian Funds Management Corporation — Report, 2020-21.
Victorian Health Promotion Foundation (VicHealth) — Report, 2020-21.
Victorian Inspectorate — Report, 2020-21.
Victorian Institute of Forensic Medicine — Report, 2020-21.
Victorian Institute of Teaching — Report, 2020-21.
Victorian Legal Services Board and Legal Services Commissioner — Report, 2020-21 (*Ordered to be published*).
Victorian Local Government Grants Commission — Allocation Report, year ended 31 August 2021.
Victorian Managed Insurance Authority (VMIA) — Report, 2020-21.
Victorian Marine and Coastal Council — Report, 2020-21.
Victorian Ports Corporation (Melbourne) — Report, 2020-21.
Victorian Public Sector Commission — Report, 2020-21.
Victorian Rail Track (VicTrack) — Report, 2020-21.
Victorian Regional Channels Authority — Report, 2020-21.
Victorian Registration and Qualifications Authority — Report, 2020-21.
Victorian Small Business Commission — Report, 2020-21 (*Ordered to be published*).
Victorian Strawberry Industry Development Committee — Minister's report of receipt of the 2020-21 report.
Victorian Veterans Council — Report, 2020-21.
Victorian WorkCover Authority (WorkSafe) — Report, 2020-21.
Wannon Region Water Corporation — Report, 2020-21.
West Gippsland Catchment Management Authority — Report, 2020-21.
Western Health — Report, 2020-21.
Western Region Water Corporation — Report, 2020-21.
Westernport Region Water Corporation — Report, 2020-21.
Wimmera Catchment Management Authority — Report, 2020-21.
Witness Protection Act 1991 — Report, 2020-21 by Victoria Police, under section 20R.
Yarra Valley Water Corporation — Report, 2020-21.
Youth Parole Board — Report, 2020-21.
Zoological Parks and Gardens Board — Report, 2020-21.

5 SITTING OF THE COUNCIL — Ms Symes moved, That the Council, at its rising, adjourn until Tuesday, 16 November 2021.

Question — put and agreed to.

6 ENVIRONMENT AND PLANNING COMMITTEE MEMBERSHIP — Mr Davis moved, by leave, That Mr Rich-Phillips be a participating member of the Standing Committee on the Environment and Planning.

Question — put and agreed to.

7 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.

8 BUSINESS POSTPONED — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 665 to 668, be postponed until later this day.

9 TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2021 — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Dr Ratnam and Ms Symes were circulated. Question — put and agreed to.

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

Ms Symes moved, That Standing Orders be suspended to the extent necessary to allow the Committee to have the power to consider Amendments and New Clauses to amend the **Juries Act 2000** to provide that the Juries Commissioner may exempt a person or class of persons from selection to be summoned for jury service based on health, safety or welfare concerns.

Question — put and 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 —

10 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:

- **Vaccination rates in City of Melbourne** — substantive and supplementary questions asked by Dr Ratnam — response from Ms Symes due Monday, 1 November 2021.
- **Worksafe – consultant cost of training for telehandler use** — substantive question asked by Ms Bath — response from Ms Stitt due Friday, 29 October 2021.
- **Justice health contract** — substantive and supplementary questions asked by Ms Patten — response from Ms Symes due Monday, 1 November 2021.
- **Fire services response time data** — substantive question asked by Mr Davis — response from Ms Symes due Friday, 29 October 2021.
- **COVID-19 rules applying to shooting clubs** — substantive and supplementary questions asked by Mr Bourman — response from Ms Symes due Monday, 1 November 2021.

11 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.

12 TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2021 — Bill further considered in Committee of the whole.

Bill reported with amendments, 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, 29

Mr Atkinson; Dr Bach; Mr Barton; 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 Meddick; Mr Melhem; Mr Ondarchie; 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)

NOES, 4

Dr Cumming; Mr Hayes; Ms Patten; Dr Ratnam.

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

Question agreed to.

The following Members, who were not in the Chamber at the time of the division, registered their opinion on the question, pursuant to an Order of the Council of 15 September 2021:

NOES — Mr Limbrick; Mr Quilty.

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.

13 LIQUOR CONTROL REFORM AMENDMENT BILL 2021 — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Grimley, Mr Meddick (co-sponsored by Mr Barton), Mr Ondarchie, Ms Patten and Dr Ratnam 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 altered from 60 minutes to 15 minutes.

[Sitting suspended from 6.30 p.m. to 6.45 p.m.]

Bill further considered in Committee of the whole.

Bill reported without amendment, the Report was adopted.

Mr Leane 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, 29

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 O'Donohue; 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, 4

Mr Barton; Dr Cumming; Mr Hayes; Mr Meddick.

(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.

14 PUBLIC HEALTH AND WELLBEING AMENDMENT (PANDEMIC MANAGEMENT) BILL 2021

— The President read a Message from the Assembly presenting *A Bill for an Act to amend the Public Health and Wellbeing Act 2008 in relation to the effective management of pandemics and for other purposes* and requesting the agreement of the Council.

Ms Symes moved, That the Bill to be read a first time.

Question — That the Bill be now read a first time — put.

The Council divided — The President in the Chair.

AYES, 18

Mr Elasmarr; Mr Erdogan; 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, 15

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

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

Question agreed to.

Bill to be read a second time on the next day of meeting.

15 WINDFALL GAINS TAX AND STATE TAXATION AND OTHER ACTS FURTHER AMENDMENT BILL 2021

— The President read a Message from the Assembly presenting *A Bill for an Act to impose a windfall gains tax on the increase in the value of land resulting from a rezoning and amend the Duties Act 2000, the Essential Services Commission Act 2001, the Gambling Regulation Act 2003, the Land Tax Act 2005, the State Taxation and Mental Health Acts Amendment Act 2021, the Taxation Administration Act 1997, the Valuation of Land Act 1960, the Water Act 1989 and the Water Industry Act 1994 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 (except for the statement under section 85(5) of the *Constitution Act 1975*) was incorporated into Hansard.

Ms Symes made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

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 two weeks.

16 SEX WORK DECRIMINALISATION BILL 2021

— The President read a Message from the Assembly presenting *A Bill for an Act to decriminalise sex work, to repeal the Sex Work Act 1994, to provide for a new protected attribute in the Equal Opportunity Act 2010, to make consequential and related 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, the debate was adjourned for one week.

- 17 SPECIAL INVESTIGATOR BILL 2021** — The President read a Message from the Assembly presenting *A Bill for an Act to establish the Office of the Special Investigator to investigate potential criminal conduct and breaches of discipline relating to the recruitment, management and use by Victoria Police of Nicola Maree Gobbo as a human source, to amend certain 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 Dr Bach), the debate was adjourned for one week.
- 18 VICTORIAN COLLABORATIVE CENTRE FOR MENTAL HEALTH AND WELLBEING BILL 2021** — The President read a Message from the Assembly presenting *A Bill for an Act to establish the Victorian Collaborative Centre for Mental Health and Wellbeing, 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 Mr Ondarchie (for Ms Crozier), the debate was adjourned for one week.
- 19 TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2021** — The President read a Message from the Assembly informing the Council that they had agreed to the amendments made by the Council in this Bill.
- 20 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 10.30 p.m., adjourned until 16 November 2021.

ANDREW YOUNG
Clerk of the Legislative Council