



# LEGISLATIVE COUNCIL

## MINUTES OF THE PROCEEDINGS

### Nos. 23, 24 and 25

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### No. 23 — Tuesday, 18 June 2019

- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **ASSENT TO ACTS** — The President read Messages from the Governor informing the Council that she had —
  - On 12 June 2019, given the Royal Assent to the following Acts presented to her by the Speaker:
    - Appropriation (2019-2020) Act 2019*
    - Appropriation (Parliament 2019-2020) Act 2019.*
  - On 18 June 2019, given the Royal Assent to the following Act presented to her by the Clerk of the Parliaments:
    - State Taxation Acts Amendment Act 2019.*
- 3 **RESIGNATION OF MEMBER** — The President announced that he had received a letter from the Governor advising that she had received from the Honourable Philip Dalidakis his written resignation as a Member of the Victorian Legislative Council on 17 June 2019.
- 4 **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:

  - **E-waste fires** — substantive and supplementary questions asked by Mr Limbrick — response from Ms Tierney due Thursday, 20 June 2019.
  - **Corkman Hotel** — substantive question asked by Mr Hayes — response from Ms Symes due Thursday, 20 June 2019.
- 5 **CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08.
- 6 **PETITIONS** —

**SUBSTANCE ABUSE AND COMMUNITY SAFETY IN RICHMOND** — Ms Crozier presented a Petition bearing 77 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Andrews Labor Government to provide more frontline police to tackle growing anti-social behaviour and drug-related crimes, postpone the construction of a permanent medically supervised injecting facility until the trial evaluation has been completed, and adopt the Victorian Liberals' 2018 State Election policy of mandatory drug treatment for young people at risk.

Ordered to lie on the Table.

**LEGALISE CANNABIS FOR RECREATIONAL USE** — Ms Patten presented a Petition bearing 1,655 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to introduce a Bill for the legalisation of recreational cannabis.

Ordered to lie on the Table.

**7 PAPERS** —

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — ALERT DIGEST** — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Ms Taylor presented Alert Digest No. 8 of 2019 (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:

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

Casey Planning Scheme — Amendment C253.

Knox Planning Scheme — Amendment C175.

Latrobe Planning Scheme — Amendment C116.

Moonee Valley Planning Scheme — Amendment C179.

Mornington Peninsula Planning Scheme — Amendment C210.

Stonnington Planning Scheme — Amendment C221.

Wyndham Planning Scheme — Amendment C235.

Statutory Rules under the following Acts of Parliament —

Building Act 1993 — Nos. 40 and 41.

Confiscation Act 1997 — No. 43.

Corrections Act 1986 — No. 46.

Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 — No. 44.

Livestock Disease Control Act 1994 — No. 42.

Residential Tenancies Act 1997 — No. 45.

Victorian Civil and Administrative Tribunal Act 1998 — No. 39.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 37, 39 and 42 to 44.

Victorian Environmental Assessment Council Act 2001 — Report on the Assessment of the Values of Victoria's Marine Environment, May 2019, pursuant to section 26E of the Act, together with Atlas and Summary.

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**PROCLAMATION** — A Proclamation of the Lieutenant-Governor in Council fixing operative dates in respect of the following Act was laid on the Table by the Clerk:

Justice Legislation Amendment (Police and Other Matters) Act 2019 — Parts 2 and 3, Division 1 of Part 9 and Sections 39, 42, 44 and 46 — 5 June 2019 — Part 5, the remaining provisions of Part 8 and Division 3 of Part 9 — 1 July 2019 (*Gazette No. S215, 4 June 2019*).

**8 ENVIRONMENT AND PLANNING COMMITTEE — EXTENSION TO REPORTING DATE — INQUIRY INTO RECYCLING AND WASTE MANAGEMENT** — Mr Melhem moved, by leave,

That the Resolution of the Council of 6 March 2019 requiring the Environment and Planning Committee to inquire into and provide an interim report and a final report by 13 August 2019, on Victoria's recycling and waste management system, be amended so as to now require the Committee to present its interim report by 29 August 2019 and its final report by 29 November 2019.

Question — put and agreed to.

**9 PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE MEMBERSHIP** — Ms Mikakos moved, by leave,

That Dr Kieu be a member of the Public Accounts and Estimates Committee.

Question — put and agreed to.

**10 LEGISLATIVE COUNCIL STANDING COMMITTEES MEMBERSHIP** — Ms Mikakos moved, by leave,

That Dr Cumming be a participating member of the Standing Committees on —

- (1) Economy and Infrastructure;
- (2) Environment and Planning; and
- (3) Legal and Social Issues.

Question — put and agreed to.

**11 BUSINESS OF THE COUNCIL** — Mr Davis moved, by leave, That precedence be given to the following General Business on Wednesday, 19 June 2019 —

- (1) the notice of motion given this day by Mr Davis in relation to the revocation of Kingston Planning Scheme Amendment C159;
- (2) the notice of motion given this day by Mr Quilty in relation to the management of public land;
- (3) the notice of motion given this day by Ms Wooldridge in relation to West Gate Tunnel steel;
- (4) the notice of motion given this day by Mr Davis in relation to the Murray Basin Rail Project;
- (5) Notice of Motion No. 89 standing in the name of Ms Crozier in relation to CFMEU State Secretary, Mr John Setka; and
- (6) Notice of Motion No. 101 standing in the name of Mr Davis in relation to the production of certain documents relating to GJK facility services.

Question — put and agreed to.

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

**13 FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019** — The Order of the Day having been read for the resumption of debate on the question, That the Bill be now read a second time —

Ms Crozier moved, That debate be adjourned until later this day.

Debate ensued.

Ms Symes moved, That the question be now put.

*And six other Members having risen in their places indicating their support for the motion pursuant to Standing Order 12.25 —*

Question — That the question be now put — put and agreed to.

Question — That debate be adjourned until later this day — put and negatived.

Debate resumed on the question, That the Bill be now read a second time.

Question — put.

The Council divided — The President in the Chair.

AYES, 21

Dr Cumming; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Jennings; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.  
(*Tellers: Ms Patten and Ms Stitt*)

NOES, 18

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Mr Rich-Phillips; Ms Wooldridge.  
(*Tellers: Mr Ondarchie and Ms Wooldridge*)

Question agreed to.

Bill read a second time.

Mr O'Donohue moved, That it be an instruction to the Committee that they have the power to divide the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019 into two Bills as follows:

- (a) A **Firefighters' Presumptive Rights Compensation Bill 2019** being the **Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019** with changes; and
- (b) a **Fire Services Legislation Amendment (Reform) Bill 2019** being the **Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019** with changes.

*For full terms of the motion see Attachment 1 to these minutes on pp. 177-81.*

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 18

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Mr Rich-Phillips; Ms Wooldridge.  
(*Tellers: Ms Crozier and Mr Quilty*)

NOES, 21

Dr Cumming; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Jennings; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.  
(*Tellers: Mr Melhem and Dr Ratnam*)

Question negatived.

Bill ordered to be committed to a Committee of the whole later this day.

*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.]*

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.

**15 ADJOURNMENT** — Ms Mikakos 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 9.35 p.m., adjourned until tomorrow.

ANDREW YOUNG  
*Clerk of the Legislative Council*

## **No. 24 — Wednesday, 19 June 2019**

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

**2 PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE MEMBERSHIP** — The President read a letter from Dr Kieu resigning from the Public Accounts and Estimates Committee, effective from Tuesday, 18 June 2019.

**3 PETITIONS** —

**SUBSTANCE ABUSE AND COMMUNITY SAFETY IN RICHMOND** — Ms Crozier presented a Petition bearing 52 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Andrews Labor Government to provide more frontline police to tackle growing anti-social behaviour and drug-related crimes, postpone the construction of a permanent medically supervised injecting facility until the trial evaluation has been completed, and adopt the Victorian Liberals' 2018 State Election policy of mandatory drug treatment for young people at risk.

Ordered to lie on the Table.

**BLACK SATURDAY BUSHFIRES COMPENSATION** — Mr Hayes presented a Petition bearing 248 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to take the necessary action to require SP Ausnet (now AusNet Services) to make additional compensation payments to survivors of the Murrindindi and Kilmore East-Kinglake Black Saturday bushfires for the substantial physical, material and emotional losses they have suffered and continue to suffer.

Ordered to lie on the Table.

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**OMBUDSMAN FOR RETIREMENT HOUSING** — Mr Ondarchie presented a Petition bearing 237 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to establish an Ombudsman for Retirement Housing to ensure that there is a low-cost, timely and binding way to resolve serious retirement housing disputes without the need to go through courts and tribunals.

Ordered to lie on the Table.

#### 4 PAPERS —

**MUNICIPAL MONITOR REPORT FOR SOUTH GIPPSLAND SHIRE COUNCIL** — Mr Jennings moved, by leave, That there be laid before this House a copy of the Municipal Monitor Report for South Gippsland Shire Council.

Question — put and agreed to.

The Report was presented by Mr Jennings and ordered to lie on the Table and be published.

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**REPORT OF THE COMMISSION OF INQUIRY INTO SOUTH GIPPSLAND SHIRE COUNCIL** — Mr Jennings moved, by leave, That there be laid before this House a copy of the Report of the Commission of Inquiry into South Gippsland Shire Council.

Question — put and agreed to.

The Report was presented by Mr Jennings and ordered to lie on the Table and 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:

Auditor-General's Report on Fraud and Corruption Control — Local Government, June 2019 (*Ordered to be published*).

Education and Training Reform Act 2006 — Order in Council of 18 June 2019 pursuant to sections 3.1.11 and 3.3.28 of the Act providing for the merger of the Box Hill Institute and Centre for Adult Education and to amend the constituting Orders of ten TAFE Institutes and the Adult Multicultural and Education Services.

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

- 6 **REVOCATION OF KINGSTON PLANNING SCHEME AMENDMENT C159** — Mr Davis moved, That, in relation to Amendment C159 to the Kingston Planning Scheme, which applies to 1136-1138 Nepean Highway, Highett, the site of the former Highett Gas Works, this House —
- (1) notes that Kingston Planning Scheme Amendment C159 was gazetted on 18 April 2019 and tabled on 1 May 2019; and
  - (2) pursuant to section 38(2) of the *Planning and Environment Act 1987*, revokes Amendment C159 to the Kingston Planning Scheme.

Debate ensued.

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

Question — put.

The Council divided — The President in the Chair.

## AYES, 16

Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.  
(Tellers: Mr Hayes and Mrs McArthur)

## NOES, 21

Dr Cumming; Mr Elasmarr; Ms Garrett; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Mr Quilty; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.  
(Tellers: Ms Terpstra and Ms Vaghela)

Question negatived.

**7 MANAGEMENT OF PUBLIC LAND** — Mr Quilty moved, That this House —

- (1) recognises that the Government has locked Victorians out of public land, and in doing so has —
  - (a) prevented enjoyment of outdoor recreation, caused severe distress to affected businesses and disrupted long-running events;
  - (b) in many instances, failed to —
    - (i) consult with affected parties;
    - (ii) construct public land arrangements that satisfy all users that rely on public land access;
    - (iii) provide notice to public land users;
    - (iv) provide adequate recourse to public land users;
- (2) notes that —
  - (a) cultural heritage legislation is a cause of many lockouts;
  - (b) Parks Victoria manages regional public land from a centralised office in Melbourne;
- (3) calls on the Government to —
  - (a) improve accountability in Parks Victoria and Aboriginal Victoria; and
  - (b) consider a decentralised management structure for public lands so that local communities have a guaranteed opportunity to provide input on all significant decisions made about public land.

Debate ensued.

*Business having been interrupted at 12 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:

- **Public Housing Renewal Program** — substantive and supplementary questions asked by Dr Ratnam — response from Ms Symes due Friday, 21 June 2019.
- **Free TAFE course on rail infrastructure** — substantive question asked by Ms Wooldridge — response from Ms Tierney due Thursday, 20 June 2019.
- **Suburban rail link – Doncaster** — substantive question asked by Mr Hayes — response from Ms Pulford due Friday, 21 June 2019.

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

**10 MANAGEMENT OF PUBLIC LAND** — Debate continued on the question, That this House —

- (1) recognises that the Government has locked Victorians out of public land, and in doing so has —
  - (a) prevented enjoyment of outdoor recreation, caused severe distress to affected businesses and disrupted long-running events;
  - (b) in many instances, failed to —

- (i) consult with affected parties;
  - (ii) construct public land arrangements that satisfy all users that rely on public land access;
  - (iii) provide notice to public land users;
  - (iv) provide adequate recourse to public land users;
- (2) notes that —
- (a) cultural heritage legislation is a cause of many lockouts;
  - (b) Parks Victoria manages regional public land from a centralised office in Melbourne;
- (3) calls on the Government to —
- (a) improve accountability in Parks Victoria and Aboriginal Victoria; and
  - (b) consider a decentralised management structure for public lands so that local communities have a guaranteed opportunity to provide input on all significant decisions made about public land.

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

Question — put and agreed to.

**11 WEST GATE TUNNEL STEEL** — Ms Wooldridge moved, That this House —

- (1) expresses its concern —
  - (a) that commitments on the percentage share of local steel made products to be incorporated into the project by the consortium contracted to build the Transurban West Gate Tunnel Project, headlined by CPB Contractors and John Holland, at the time of tendering and contractual close, appear to have been ineffective;
  - (b) at the impact of this failure on Australian and Victorian steel producers and engineering firms, including those in country Victoria;
- (2) calls on the Government to rectify this shortfall by insisting commitments entered into by the consortium with the Victorian Government be honoured; and
- (3) demands that the Hon Jaala Pulford MLC, the Minister representing the Minister for Transport Infrastructure, the Hon Jacinta Allen MP, in the Legislative Council, table a report at the end of each financial year that details the share of Australian steel, and the Victorian contribution to that component, in the West Gate Tunnel Project.

Debate ensued.

Question — put and agreed to.

**12 BUSINESS POSTPONED** — Ordered — That the consideration of Notice of Motion, General Business, No. 113, be postponed until later this day.

**13 CFMEU STATE SECRETARY, MR JOHN SETKA** — Ms Crozier moved, That this House notes —

- (1) the inaction by the Premier, the Hon Daniel Andrews MP, in condemning the actions of CFMEU State Secretary, Mr John Setka, in relation to family violence and the harassment of women;
  - (2) the hypocrisy of the Premier continuing to support Mr Setka, who has a history of standover tactics and intimidation in the workplace, and now harassment and family violence;
  - (3) the comments by the Premier who has previously stated that failing to keep women and children safe is a “reflection on government” and “a failure of political leadership”;
  - (4) the comments by the Premier that “the standard you walk past is the standard you accept”;
  - (5) that the Australian Labor Party, Victorian Division, continues to take donations from the CFMEU for party political purposes, and has collected more than \$3.3 million from the Union since 1998;
  - (6) that Labor Legislative Council Members, Mr Mark Gepp MLC, and Ms Jane Garrett MLC, feature in a video with Mr Setka promoting Labor’s internal warfare;
- and calls on the Premier to protect Victorians, promote harmony, oppose bullying tactics and instigate the expulsion of Mr Setka from the Labor Party.

Debate ensued.

*Business having been interrupted at 5.15 p.m. pursuant to Sessional Orders, the debate stood adjourned in the name of Mr Jennings.*

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

**15 LOCAL GOVERNMENT (SOUTH GIPPSLAND SHIRE COUNCIL) BILL 2019** — The Deputy President read a Message from the Assembly presenting *A Bill for an Act to dismiss the South Gippsland Shire Council and provide for a general election for that Council and for other purposes* and requesting the agreement of the Council.

On the motion of Mr Somyurek, the Bill was read a first time.

Pursuant to Standing Order 14.34, Mr Somyurek declared the Bill to be an urgent bill and moved, That the Bill be treated as an urgent Bill.

Question — put and agreed to.

Mr Somyurek laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Mr Somyurek, the second reading speech was incorporated into Hansard.

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

Debate ensued.

An Amendment proposed to be moved in Committee by Dr Ratnam was 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.

Mr Somyurek moved, That the Bill be now read a third time.

Debate ensued.

Question — put and agreed to.

Bill 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.

**16 ADJOURNMENT** — Ms Symes 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 6.57 p.m., adjourned until tomorrow.

ANDREW YOUNG  
*Clerk of the Legislative Council*

## No. 25 — Thursday, 20 June 2019

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

**2 PETITION — SAVE CURRAJONG HOUSE** — Ms Crozier presented a Petition bearing 182 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government and the Minister for Planning, the Hon Richard Wynne MP, to guarantee that Currajong House, the heritage property at 337 Auburn Road in Hawthorn East, will not be demolished and that an assessment of significant properties of architectural and heritage value in the area be undertaken.

Ordered to lie on the Table.

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

Auditor-General's Reports on —

Managing Private Medical Practice in Public Hospitals, June 2019 (*Ordered to be published*).



School Compliance with Victoria's Child Safe Standards, June 2019 (*Ordered to be published*).

Multicultural Victoria Act 2011 — Victorian Government Report in Multicultural Affairs, 2017-18.

Planning and Environment Act 1987 — Notice of Approval of amendments to the Banyule and Manningham Planning Schemes — Amendment GC140.

Subordinate Legislation Act 1994 —

Documents under section 15 in respect of Statutory Rule Nos. 31 and 46.

Legislative instrument and related documents under section 16B in respect of a Ministerial Direction of 20 May 2019 to implement the National Consumer Protection Framework pursuant to section 4.8A.2 of the Gambling Regulation Act 2003.

West Gate Tunnel (Truck Bans and Traffic Management) Act 2019 — West Gate Tunnel Project Agreement, pursuant to section 12 of the Act.

- 4 LEGAL AND SOCIAL ISSUES COMMITTEE MEMBERSHIP** — Dr Ratnam moved, by leave, That Dr Ratnam be a participating member of the Standing Committee on Legal and Social Issues.

Question — put and agreed to.

- 5 MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13.

- 6 FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019** — Bill committed to a Committee of the whole.

House in Committee.

*Business having been interrupted at 12 noon pursuant to Sessional Orders —*

- 7 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:

- **Community Chef and Regional Kitchen funding** — substantive and supplementary questions asked by Ms Crozier — response from Ms Mikakos due Friday, 21 June 2019.
- **Wyndham waste to energy facility** — substantive and supplementary questions asked by Dr Cumming — response from Mr Jennings due Monday, 24 June 2019.
- **Domestic violence** — substantive question asked by Mr Barton — response from Ms Mikakos due Monday, 24 June 2019.
- **Electronic monitoring of offenders** — substantive and supplementary questions asked by Mr Grimley — response from Ms Symes due Monday, 24 June 2019.

- 8 CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08.

- 9 FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019** — Bill further considered in Committee of the whole.

*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.

Mr Jennings 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, 21

Dr Cumming; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Jennings; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.  
(*Tellers: Mr Meddick and Mr Melhem*)

## NOES, 18

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Mr Rich-Phillips; Ms Wooldridge.  
(*Tellers: Mr Finn and Mr O'Donohue*)

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 amendments.

- 10 SITTING OF THE COUNCIL** — Mr Jennings moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, who will notify each Member of the Council accordingly.

Question — put and agreed to.

- 11 ASSISTED REPRODUCTIVE TREATMENT AMENDMENT (CONSENT) BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Assisted Reproductive Treatment Act 2008 to ensure that a married woman is not required to obtain the consent of her spouse to undergo a treatment procedure using donor sperm in circumstances where the woman has separated from her spouse, to make consequential and other amendments to the Status of Children Act 1974 and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford (for Ms Mikakos), 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 Ondarchie (for Ms Crozier), the debate was adjourned for one week.

- 12 SUPERANNUATION LEGISLATION AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Emergency Services Superannuation Act 1986 and certain other Superannuation Acts and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford (for Mr Jennings), 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 Ondarchie (for Mr Rich-Phillips), the debate was adjourned for one week.

- 13 PUBLIC HOLIDAYS AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Public Holidays Act 1993 and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford (for Mr Somyurek), 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 Ondarchie (for Mr Finn), the debate was adjourned for one week.

**14 OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Owner Drivers and Forestry Contractors Act 2005 and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford (for Mr Jennings), 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 Ondarchie (for Mr Rich-Phillips), 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 9.34 p.m., adjourned until a day and hour to be fixed by the President, who will notify each Member of the Council accordingly.

ANDREW YOUNG  
*Clerk of the Legislative Council*



# ATTACHMENT 1

## Minutes Nos. 23, 24 and 25

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### FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019

Tuesday 18 June 2019

In Minutes No. 23, Mr O'Donohue moved the following motion (for details of the resolution of this motion, see pp. 167-9):

Mr O'Donohue moved, That it be an instruction to the Committee that they have the power to divide the **Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019** into two Bills as follows:

- (a) A **Firefighters' Presumptive Rights Compensation Bill 2019** being the **Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019** with the following changes:

- (i) Long title as follows:

"A Bill for an Act to provide a rebuttable presumption for career firefighters and volunteer firefighters suffering from specified forms of cancer for the purposes of claiming compensation under the **Workplace Injury Rehabilitation and Compensation Act 2013** and for other purposes.";

- (ii) Short title as follows:

**"Firefighters' Presumptive Rights Compensation Bill 2019"**;

- (iii) Heading to Part 1 of the Bill;

- (iv) Clause 1 as follows:

**"1 Purpose**

The purpose of this Act is to provide a rebuttable presumption for—

- (a) career firefighters suffering from specified forms of cancer that the cancer is presumed to be due to the nature of their employment for the purposes of claiming compensation under the **Workplace Injury Rehabilitation and Compensation Act 2013**; or
- (b) volunteer firefighters suffering from specified forms of cancer that the cancer is presumed to be due to the nature of their service as a firefighter for the purposes of claiming compensation under the **Workplace Injury Rehabilitation and Compensation Act 2013**.";

- (v) Clause 2 as follows:

**"2 Commencement**

This Act comes into operation on the day after the day on which it receives the Royal Assent.";

- (vi) Heading to Part 2 of the Bill;

- (vii) Heading to Division 1 of Part 2 of the Bill;

- (viii) Clause 3 as follows:

**"3 Definitions**

- (1) In this Act—

**advisory committee** means the advisory committee established under section 19;

**Authority** means the Victorian WorkCover Authority;

**career firefighter** means a person who is or was employed by a fire service as a firefighter in a role in which firefighting duties are or were a substantial portion;

**CFA** means the Country Fire Authority established under the **Country Fire Authority Act 1958**;

**firefighter** means—

- (a) a career firefighter; or
- (b) a volunteer firefighter;

**firefighting** means exposure to the hazards of a fire scene, including extinguishing, controlling or preventing the spread of fires;

**volunteer firefighter** means a person who performs or has performed firefighting duties, in a role in which firefighting duties are or were a substantial portion, and who receives or received no remuneration for the performance of those duties.

(2) A reference in this Act to **employment** in relation to a career firefighter includes appointment.";

(ix) Clause 5 renumbered 4;

(x) Heading to Division 2 of Part 2 of the Bill;

(xi) Clauses 6 to 8 renumbered 5 to 7;

(xii) Heading to Division 3 of Part 2 of the Bill;

(xiii) Clauses 9 to 12 renumbered 8 to 11;

(xiv) Heading to Division 4 of Part 2 of the Bill;

(xv) Clauses 13 to 16 renumbered 12 to 15;

(xvi) Heading to Division 5 of Part 2 of the Bill;

(xvii) Clauses 17 to 22 renumbered 16 to 21;

(xviii) Schedule 1;

(b) a **Fire Services Legislation Amendment (Reform) Bill 2019** being the **Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2019** with the following changes:

(i) Long title as follows:

"A Bill for an Act to amend the **Metropolitan Fire Brigades Act 1958**, the **Country Fire Authority Act 1958** and certain other Acts to reform fire services and for other purposes.";

(ii) Short title as follows:

**"Fire Services Legislation Amendment (Reform) Bill 2019"**;

(iii) Heading to Part 1 of the Bill;

(iv) Clauses 1 to 3 as follows:

**"1 Purpose**

The purpose of this Act is to—

- (a) amend the **Metropolitan Fire Brigades Act 1958**—

- (i) to abolish the Metropolitan Fire and Emergency Services Board and to establish Fire Rescue Victoria to take on its functions; and
  - (ii) to abolish the positions of Chief Executive Officer of the Metropolitan Fire and Emergency Services Board and Chief Officer of the Metropolitan Fire and Emergency Services, and to establish the positions of Fire Rescue Commissioner and Deputy Fire Rescue Commissioner; and
  - (iii) to establish the Strategic Advisory Committee to advise Fire Rescue Victoria; and
  - (iv) to change the boundaries of the Fire Rescue Victoria fire district; and
  - (v) to provide a new mechanism for changing the boundaries of the Fire Rescue Victoria fire district by establishing the Fire District Review Panel to review the Fire Rescue Victoria fire district; and
  - (vi) to establish the Fire Services Monitor and the Firefighters Registration Board; and
- (b) to amend the **Country Fire Authority Act 1958**—
- (i) to make it an objective of the Country Fire Authority to support the recruitment, development and retention of volunteer officers and members; and
  - (ii) to recognise the Country Fire Authority as a fully volunteer fire fighting service; and
  - (iii) to allow certain functions to be performed and powers to be exercised within the Fire Rescue Victoria fire district; and
- (c) make consequential and other amendments to other Acts.

## **2 Commencement**

This Act comes into operation on a day to be proclaimed.

## **3 Principal Act**

In this Act, the **Metropolitan Fire Brigades Act 1958** is called the Principal Act.";

- (v) Heading to Part 3 of the Bill renumbered 2;
- (vi) Clauses 23 to 57 renumbered 4 to 38;
- (vii) Heading to Part 4 of the Bill renumbered 3;
- (viii) Clauses 58 to 73 renumbered 39 to 54;
- (ix) Heading to Part 5 of the Bill renumbered 4;
- (x) Clauses 74 to 81 renumbered 55 to 62;
- (xi) Heading to Part 6 of the Bill renumbered 5;
- (xii) Clauses 82 to 83 renumbered 63 to 64;
- (xiii) Heading to Part 7 renumbered 6;
- (xiv) Clause 84 renumbered 65;
- (xv) Heading to Part 8 renumbered 7;
- (xvi) Clause 85 renumbered 66;
- (xvii) Heading to Part 9 renumbered 8;

- (xviii) Clauses 86 to 143 renumbered 67 to 124;
- (xix) Heading to Part 10 renumbered 9;
- (xx) Heading to Division 1 of Part 10 of the Bill;
- (xxi) Clause 144 renumbered 125;
- (xxii) Heading to Division 2 of Part 10 of the Bill;
- (xxiii) Clauses 145 to 148 renumbered 126 to 129;
- (xxiv) Heading to Division 3 of Part 10 of the Bill;
- (xxv) Clauses 149 to 151 renumbered 130 to 132;
- (xxvi) Heading to Division 4 of Part 10 of the Bill;
- (xxvii) Clauses 152 to 158 renumbered 133 to 139;
- (xxviii) Heading to Division 5 of Part 10 of the Bill;
- (xxix) Clauses 159 to 161 renumbered 140 to 142;
- (xxx) Heading to Division 6 of Part 10 of the Bill;
- (xxxi) Clause 162 renumbered 143;
- (xxxii) Heading to Division 7 of Part 10 of the Bill;
- (xxxiii) Clause 163 renumbered 144;
- (xixxv) Heading to Division 8 of Part 10 of the Bill;
- (xxxvi) Clause 164 renumbered 145;
- (xxxvii) Heading to Division 9 of Part 10 of the Bill;
- (xxxviii) Clauses 165 to 167 renumbered 146 to 148;
- (xxxix) Heading to Division 10 of Part 10 of the Bill;
  - (xl) Clauses 168 to 169 renumbered 149 to 150;
  - (xli) Heading to Division 11 of Part 10 of the Bill;
  - (xlii) Clauses 170 to 171 renumbered 151 to 152;
  - (xlili) Heading to Division 12 of Part 10 of the Bill;
  - (xliv) Clause 172 renumbered 153;
  - (xlv) Heading to Division 13 of Part 10 of the Bill;
  - (xlvi) Clauses 173 to 177 renumbered 154 to 158;
  - (xlvii) Heading to Division 14 of Part 10 of the Bill;
  - (xlviii) Clause 178 renumbered 159;
  - (xlix) Heading to Division 15 of Part 10 of the Bill;
    - (l) Clause 179 renumbered 160;
    - (li) Heading to Division 16 of Part 10 of the Bill;
    - (lii) Clause 180 renumbered 161;
    - (liii) Heading to Division 17 of Part 10 of the Bill;
    - (liv) Clauses 181 to 183 renumbered 162 to 164;
    - (lv) Heading to Division 18 of Part 10 of the Bill;
    - (lvi) Clause 184 renumbered 165;
    - (lvii) Heading to Division 19 of Part 10 of the Bill;



- (lviii) Clause 185 renumbered 166;
- (lix) Heading to Division 20 of Part 10 of the Bill;
- (lx) Clause 186 renumbered 167;
- (lxi) Heading to Division 21 of Part 10 of the Bill;
- (lxii) Clauses 187 to 188 renumbered 168 to 169;
- (lxiii) Heading to Division 22 of Part 10 of the Bill;
- (lxiv) Clause 189 renumbered 170;
- (lxv) Heading to Division 23 of Part 10 of the Bill;
- (lxvi) Clause 190 renumbered 171;
- (lxvii) Heading to Division 24 of Part 10 of the Bill;
- (lxviii) Clause 191 renumbered 172;
- (lxix) Heading to Part 11 of the Bill renumbered 10;
- (lxx) Clause 173 as follows:

**"173 Repeal of this Act**

This Act is **repealed** on the first anniversary of the day on which all of the provisions of this Act are in operation.

**Note**

The repeal of this Act does not affect the continuing operation of the amendments made by this Act (see section 15(1) of the **Interpretation of Legislation Act 1984**).".



# COMMITTEE OF THE WHOLE COUNCIL

## Supplement to Minutes Nos. 23, 24 and 25

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### DISABILITY (NATIONAL DISABILITY INSURANCE SCHEME TRANSITION) AMENDMENT BILL 2019

*Committed Tuesday, 18 June 2019*

**Clauses 1 to 276** — put and agreed to.

**Bill reported without amendment.**

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### LOCAL GOVERNMENT (SOUTH GIPPSLAND SHIRE COUNCIL) BILL 2019

*Committed Wednesday, 19 June 2019*

*Amendment circulated: Dr Ratnam (p.186)*

**Clauses 1 to 9** — put and agreed to.

**Clause 10** — Dr Ratnam moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 7

Dr Cumming; Mr Grimley; Mr Hayes; Mr Limbrick; Ms Maxwell; Mr Quilty; Dr Ratnam.  
*(Tellers: Dr Cumming and Mr Grimley)*

NOES, 31

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Elasmarr; Mr Finn; Ms Garrett; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.  
*(Tellers: Mr Bourman and Mr Meddick)*

Question negated.

Clause 10 — put and agreed to.

**Bill reported without amendment.**

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### FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019

*Committed Thursday, 20 June 2019*

*Amendments circulated: Mr Bourman (JB02C) (p. 186) and Mr O'Donohue (p. 186); and  
Amendments and suggested amendments circulated: Mr Bourman (JB06C) (p. 186)*

Amendments and suggested amendments proposed to be moved in Committee by Mr Bourman were circulated.

Amendments proposed to be moved in Committee by Mr O'Donohue were circulated.

**Clauses 1 to 5** — put and agreed to.

**Clause 6** — Mr Bourman moved Amendment Nos. 1 and 2 (JB06C).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Rich-Phillips; Ms Wooldridge.

*(Tellers: Ms Bath and Mr Bourman)*

NOES, 23

Dr Cumming; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Mr Quilty; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

*(Tellers: Mr Elasmarr and Ms Shing)*

Question negatived.

Clause 6 — put and agreed to.

**Clauses 7 and 8** — put and agreed to.

**Clause 9** — Mr Bourman moved suggested Amendment Nos. 3 and 4 (*JB06C*).

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

The Committee divided — The Deputy President in the Chair.

AYES, 16

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Rich-Phillips; Ms Wooldridge.

*(Tellers: Mr Hayes and Mrs McArthur)*

NOES, 23

Dr Cumming; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Mr Quilty; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

*(Tellers: Ms Patten and Ms Symes)*

Question negatived.

Clause 9 — put and agreed to.

**Clauses 10 and 11** — put and agreed to.

**Clause 12** — Mr Bourman moved Amendment No. 1 (*JB02C*).

Question — That clause 12 stand part of the Bill — put.

The Committee divided — The Deputy President in the Chair.

AYES, 21

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

*(Tellers: Mr Melhem and Dr Ratnam)*

NOES, 18

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

*(Tellers: Mr Barton and Mr Grimley)*

Question agreed to.

**Clauses 13 to 50** — put and agreed to.

**Clause 51** — Mr Bourman moved Amendment No. 3 (*JB02C*).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 18

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

*(Tellers: Ms Crozier and Ms Wooldridge)*

NOES, 21

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

*(Tellers: Mr Meddick and Ms Pulford)*

Question negatived.

Clause 51 — put and agreed to.

**Clauses 52 to 77** — put and agreed to.

**Clause 78** — Mr O'Donohue moved Amendment No.1 (*EOD01C*).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 18

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

*(Tellers: Mr Hayes and Mr Quilty)*

NOES, 21

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

*(Tellers: Mr Gepp and Mr Meddick)*

Question negatived.

Clause 78 — put and agreed to.

**Clauses 79 to 192** — put and agreed to.

**Schedule 1** — put and agreed to.

**Bill reported without amendment.**

**AMENDMENTS CIRCULATED IN RELATION TO —****1. LOCAL GOVERNMENT (SOUTH GIPPSLAND SHIRE COUNCIL) BILL 2019***Amendment circulated by Dr Ratnam*

Clause 10, line 24, omit "2021" and insert "2020".

**2. FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2019***Amendments circulated by Mr Bourman (JB02C)*

1. Clause 12, omit this clause.

2. Clause 20, page 18, lines 13 to 20, omit these lines and insert—

"(2) The purpose of the advisory committee is to provide an expert opinion to the Authority as to whether a firefighter has had an exceptional exposure event."

3. Clause 51, page 43, line 28, after this line insert—

"(9A) For the avoidance of doubt, nothing in section 25B or this section enables an officer or employee being made available under a secondment agreement to be appointed, whether on a full-time, part-time or other basis, to the role of Chief Officer, Deputy Chief Fire Officer or Chief Executive Officer under the **Country Fire Authority Act 1958** or to any other role with a management classification under section 17 of the **Country Fire Authority Act 1958**."

*Amendments and suggested amendments circulated by Mr Bourman (JB06C)*

1. Clause 6, line 29, omit "injury—" and insert "injury is a disease referred to in column 1 of the Table in Schedule 1; and".

2. Clause 6, lines 30 to 32, omit all words and expressions on these lines.

**3. Suggested amendment to the Legislative Assembly—**

Clause 9, line 28, omit "injury—" and insert "injury is a disease referred to in column 1 of the Table in Schedule 1; and".

**4. Suggested amendment to the Legislative Assembly—**

Clause 9, lines 29 to 31, omit all words and expressions on these lines.

*Amendment circulated by Mr O'Donohue (EOD01C)*

Clause 78, page 69, lines 32 and 33, omit ", subject to operational requirements,".