



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 76 — Tuesday, 27 October 2020

Proof Version

1 The President took the Chair at 11.05 a.m., read the Prayer and made an Acknowledgement of Country.

2 **THE LATE RONALD ALEXANDER BEST** — Ms Symes moved, That this House expresses its sincere sorrow at the death, on 14 October 2020, of Mr Ronald Alexander Best and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a Member of the Legislative Council for North Western Province from 1988 to 2002.

And other Members having addressed the House, the question was put and agreed to unanimously with Members standing in their places.

3 **TEMPORARY ORDERS — BUSINESS OF THE HOUSE** — Ms Symes moved, by leave, That Standing, Sessional and Temporary Orders be suspended to the extent necessary to allow the following to occur —

1. **Order of Business today**

The Order of Business today will be —

Messages

Questions

Answers to Questions on Notice

Constituency Questions (up to 15 Members)

Formal Business

Members' Statements (up to 15 Members)

Government Business

At 10.00 p.m. Adjournment (up to 20 Members).

2. **Sitting of the House on Thursday**

The sitting of the Council, on Thursday, 29 October 2020, to commence at 10.00 a.m.

Question — put and agreed to.

4 **ASSENT TO ACTS** — The President read Messages from the Governor informing the Council that she had, on the following dates, given the Royal Assent to the following Acts presented to her by the Clerk of the Parliaments:

On 20 October 2020 —

COVID-19 Omnibus (Emergency Measures) and Other Acts Amendment Act 2020

National Energy Legislation Amendment Act 2020

On 27 October 2020 —

Police and Emergency Legislation Amendment Act 2020

Project Development and Construction Management Amendment Act 2020.

5 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.

* * * * *

QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed written responses be provided to questions without notice pursuant to Standing Order 8.07 as follows:

- **Western Highway – Djab Wurrung cultural heritage** — substantive and supplementary questions asked by Dr Ratnam — response from Mr Leane due Thursday, 29 October 2020.
- **WorkSafe inspectors appointed as authorised officers** — substantive question asked by Mr O'Donohue — response from Ms Stitt due Wednesday, 28 October 2020.
- **Wildlife slaughtering method** — substantive question asked by Mr Meddick — response from Mr Leane due Thursday, 29 October 2020.

6 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08 and further questions were received from Members for incorporation in Hansard pursuant to an Order of the Council of 15 September 2020.

7 PETITIONS —

HOME-BASED AND MOBILE DOG GROOMERS DURING COVID-19 — Mr Atkinson presented a Petition bearing 723 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Premier, the Hon Daniel Andrews MP, and the Department of Health and Human Services to review COVID-19 restrictions to allow home-based groomers and mobile dog groomers to re-open during the pandemic.

Ordered to lie on the Table.

* * * * *

REMOVE THE COVID-19 CURFEW — Dr Cumming presented a Petition bearing 331 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Minister for Health and the Chief Health Officer to remove the COVID-19 curfew restriction unless clear evidence shows that a curfew is necessary.

Ordered to lie on the Table.

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

* * * * *

COVID-19 SAFE PLAN FOR RE-OPENING MARTIAL ARTS CLUBS — Mr Limbrick presented a Petition bearing 122 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to create and implement a COVID-19 Safe Plan for Victorians to attend non-contact martial arts and taekwondo clubs in a safe and secure manner.

Ordered to lie on the Table.

* * * * *

RE-OPEN THE HOSPITALITY INDUSTRY SAFELY DURING THE CURRENT STATE OF EMERGENCY — Mr Quilty presented a Petition bearing 3,829 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to allow the hospitality sector to re-open safely with previous stage two restrictions being the maximum imposed.

Ordered to lie on the Table.

8 HOUSING AMENDMENT (CREATING JOBS AND HOMES) BILL 2020 — Dr Ratnam introduced *A Bill for an Act to amend the Housing Act 1983 to set targets for public housing construction, mandate energy efficiency standards in new public housing, and prevent the disposal of public housing land and public land that is suitable for public housing, and for other purposes.*

On the motion of Dr Ratnam, the Bill was read a first time and ordered to be read a second time on the next day of meeting.

9 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. 10 of 2020 (including Appendices) from the Scrutiny of Acts and Regulations Committee.

Ordered to be published.

* * * * *

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — ANNUAL REVIEW 2019 —

Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Mr Gepp presented the Annual Review 2019 on Regulations and Legislative Instruments (including Appendices) from the Scrutiny of Acts and Regulations Committee.

Ordered to be published.

Mr Gepp 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:

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

Banyule Planning Scheme — Amendment C120.

Boroondara and Manningham Planning Schemes — Amendment GC164.

Brimbank Planning Scheme — Amendment C223.

Glen Eira Planning Scheme — Amendments C196 and C202.

Maroondah Planning Scheme — Amendment C141.

Moonee Valley Planning Scheme — Amendment C213.

Mornington Peninsula Planning Scheme — Amendment C261.

Port Phillip Planning Scheme — Amendments C166 and C174.

Stonnington Planning Scheme — Amendment C307.

Victoria Planning Provisions — Amendment VC193.

Whitehorse Planning Scheme — Amendment C227.

Yarra Planning Scheme — Amendments C278, C282 and C287.

Statutory Rules under the following Acts of Parliament —

Planning and Environment Act 1987 — No. 111.

Subordinate Legislation Act 1994 — No. 110.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 101, 112, 113 and 115 to 117.

10 BUSINESS OF THE COUNCIL — Mr Davis moved, by leave, That precedence be given to the following General Business on —

(1) Wednesday, 27 October 2020 —

(a) Notice of Motion No. 379, in an amended form, standing in the name of Mr Meddick in relation to pound and shelter reform;

(b) the notice of motion given this day by Ms Crozier referring a matter to the Legal and Social Issues Committee relating to COVID-19 contact tracing;

(c) Order of the Day No. 38, resumption of debate on the motion relating to disallowance of the Environment Protection (Management of Tunnel Boring Machine Spoil) Regulations 2020;

(d) the notice of motion given this day by Mr Davis in relation to the Suburban Rail Loop business case;

(e) Notice of Motion No. 361 standing in the name of Mr Hayes in relation to referring a matter to the Environment and Planning Committee relating to the adequacy of the Victorian planning framework in relation to planning and heritage protection;

(2) Friday, 30 October 2020 —

(a) the notice of motion given this day by Mr Davis in relation to the production of documents relating to public health and other orders;

- (b) the notice of motion given this day by Mr Davis in relation to the Suburban Rail Loop business case; and
- (c) the notice of motion given this day by Mr Davis in relation to evidence given by the Chief Health Officer to the COVID-19 Hotel Quarantine Inquiry.

Question — put and agreed to.

11 TIME LIMITS — GENERAL BUSINESS SESSIONAL ORDER — FRIDAY SITTINGS —

Mr Davis moved, by leave, That Sessional Order 8 be suspended in relation to Friday sittings for the remainder of this year to allow the total time allocated to each General Business item to be 60 minutes.

Question — put and agreed to.

12 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 15 September 2020.

13 CLADDING SAFETY VICTORIA BILL 2020 — 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.

14 EDUCATION AND TRAINING REFORM AMENDMENT (REGULATION OF STUDENT ACCOMMODATION) BILL 2020 — 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.

15 ADJOURNMENT — Ms Pulford 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 6.49 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council