



# LEGISLATIVE COUNCIL

## MINUTES OF THE PROCEEDINGS

### Nos. 35, 36 and 37

---

#### No. 35 — Tuesday, 15 October 2019

- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **ASSENT TO ACTS** — The President read a Message from the Governor informing the Council that she had, on 17 September 2019, given the Royal Assent to the following Acts presented to her by the Clerk of the Parliaments:

*Children Legislation Amendment Act 2019*

*Legal Profession Uniform Law Application Amendment Act 2019*

*Mineral Resources (Sustainable Development) Amendment Act 2019*

*Owner Drivers and Forestry Contractors Amendment Act 2019.*

- 3 **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:

- **Commercial passenger vehicle public register** — substantive and supplementary questions asked by Mr Barton — response from Ms Pulford due Thursday, 17 October 2019.
- **Citylink tolls** — substantive and supplementary questions asked by Mr Finn — response from Ms Pulford due Wednesday, 16 October 2019 and Thursday, 17 October 2019 respectively.
- **Victorian energy supply reliability** — substantive and supplementary questions asked by Mr Limbrick — response from Mr Jennings due Thursday, 17 October 2019.
- **Mental health in Western Region** — substantive and supplementary questions asked by Dr Cumming — response from Ms Mikakos due Thursday, 17 October 2019.

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

- 5 **DANGEROUS GOODS AMENDMENT (PENALTY REFORM) BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Dangerous Goods Act 1985 to increase the penalties of various offences in that Act so that the penalties better reflect the serious nature of those offences and to create a new offence for reckless conduct in respect of dangerous goods that endangers persons and for other purposes.*

On the motion of Ms Mikakos (for Ms Tierney), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

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

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

On the motion of Mr Rich-Phillips, the debate was adjourned until the next day of meeting.

- 6 RAIL SAFETY LEGISLATION AMENDMENT (NATIONAL SERVICES DELIVERY AND RELATED REFORMS) BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Rail Safety National Law Application Act 2013, the Transport (Safety Schemes Compliance and Enforcement) Act 2014, the Transport Integration Act 2010 and the Transport (Compliance and Miscellaneous) Act 1983, to repeal the Rail Safety (Local Operations) Act 2006 and to make consequential amendments to other Acts and for other purposes.*

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

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

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

On the motion of Mr Rich-Phillips (for Mr Davis), the debate was adjourned until the next day of meeting.

- 7 PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Catchment and Land Protection Act 1994, the Dairy Act 2000, the Drugs, Poisons and Controlled Substances Act 1981, the Fisheries Act 1995, the Game Management Authority Act 2014, the Livestock Disease Control Act 1994, the Meat Industry Act 1993, the Melbourne Market Authority Act 1977, the Plant Biosecurity Act 2010, the Veterinary Practice Act 1997, the Wildlife Act 1975, and to make miscellaneous and consequential amendments to the Confiscation Act 1997, the Conservation, Forests and Lands Act 1987, the Crown Land (Reserves) Act 1978, the Environment Protection Act 1970, the Firearms Act 1996, the Land Act 1958 and to repeal the Livestock Disease Control Amendment Act 2007, the Broiler Chicken Industry Act 1978 and the Broiler Chicken Industry (Amendment) Act 1991 and for other purposes.*

On the motion of Ms Mikakos (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

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

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

On the motion of Mr Rich-Phillips (for Mr O'Donohue), the debate was adjourned until the next day of meeting.

- 8 MARINE AND FISHERIES LEGISLATION AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Fisheries Act 1995, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Marine Safety Act 2010 and the Transport (Safety Schemes Compliance and Enforcement) Act 2014 and for other purposes.*

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

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

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

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

- 9 HEALTH LEGISLATION AMENDMENT AND REPEAL BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Health Services Act 1988, the Mental Health Act 2014 and the Tobacco Act 1987, to repeal the Access to*

*Medicinal Cannabis Act 2016, to consequentially amend other Acts as a result of that repeal and for other purposes.*

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

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

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

On the motion of Mr Rich-Phillips (for Ms Crozier), the debate was adjourned until the next day of meeting.

## 10 PETITIONS —

**PAINTBALL GAMES FACILITY, GEORGES CREEK** — Mr Bourman presented a Petition bearing 455 signatures from certain citizens of Victoria requesting that the Legislative Council call on Towong Shire Council to reconsider the recent paintball games facility at Georges Creek application and work together to allow the applicants to provide a venue that is beneficial to the wider community.

Ordered to lie on the Table.

\* \* \* \* \*

**COMMUNITY BANKS** — Mr Davis presented a Petition bearing eight signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to reverse its decision to centralise all State Government deposits to the Sydney-based Westpac Banking Corporation and instead support community banks.

Ordered to lie on the Table.

\* \* \* \* \*

**SHEPPARTON EDUCATION PLAN** — Ms Lovell presented a Petition bearing 176 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to cease and desist the Shepparton Education Plan so that the four public secondary schools proposed for amalgamation remain functioning as single entities.

Ordered to lie on the Table.

\* \* \* \* \*

**PROTECT OLD-GROWTH FORESTS** — Dr Ratnam presented a Petition bearing 228 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to protect old-growth forests from logging and complete the transition of the logging industry into plantations, non-timber sources of fibre and sustainable jobs.

Ordered to lie on the Table.

## 11 PAPERS —

**GOVERNMENT RESPONSE TO THE COMMUNITY VISITORS REPORT, 2017-18** — Ms Mikakos moved, by leave, That there be laid before this House a copy of the Government Response to the Community Visitors Report, 2017-18, October 2019.

Question — put and agreed to.

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

\* \* \* \* \*

**SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — ALERT DIGEST** — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Mr Gepp presented Alert Digest No. 12 of 2019 (including Appendices) from the Scrutiny of Acts and Regulations Committee.

Ordered to be published.

\* \* \* \* \*

**ADVANCING THE VICTORIAN TREATY PROCESS ANNUAL REPORT AND PLAN, 2018-19** — Pursuant to section 44(2)(c) of the *Advancing the Treaty Process with Aboriginal Victorians Act 2018*, the Clerk laid on the Table a copy of the Advancing the Victorian Treaty Process Annual Report and Plan, 2018-19.

**IBAC COMMISSIONER — SPECIAL REPORT ON CORRUPTION RISKS ASSOCIATED WITH PROCUREMENT IN LOCAL GOVERNMENT: OPERATIONS DORSET, ROYSTON AND OTHERS** — Pursuant to section 162(12)(c) of the *Independent Broad-based Anti-corruption Commission Act 2011*, the Clerk laid on the Table a copy of the IBAC Commissioner's Special Report on corruption risks associated with procurement in local government: Operations Dorset, Royston and others, September 2019.

\* \* \* \* \*

**OMBUDSMAN — REPORT ON REVISITING COUNCILS AND COMPLAINTS** — Pursuant to section 25AA(4)(c) of the *Ombudsman Act 1973*, the Clerk laid on the Table a copy of the Ombudsman's Report on Revisiting councils and complaints, October 2019.

\* \* \* \* \*

**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 2 September 2019 giving approval to the granting of a lease at Gillott Reserve.

Minister's Orders of 4 September 2019 giving approval to the granting of leases at Sandringham Beach Park Reserve.

Minister's Order of 25 August 2019 giving approval to the granting of a lease at Tasma Terrace Reserve.

Order of 20 September 2019 giving approval to the granting of a lease at Albert Park Reserve.

Duties Act 2000 — Treasurer's Reports of —

Exemptions and refunds arising out of corporate consolidations for 2018-19, under section 250DD(5) of the Act.

Exemptions and refunds arising out of corporate reconstructions for 2018-19, under section 250B(4) of the Act.

Foreign Purchaser Additional Duty Exemptions for 1 January 2019 to 30 June 2019, under section 3E(3) of the Act.

Financial Management Act 1994 — Financial Report for the State of Victoria, 2018-19 (incorporating Quarterly Financial Report No. 4) (*Ordered to be published*).

Gambling Regulation Act 2003 — Amendment to the Wagering and Betting Licence issued to Tabcorp Wagering (Vic) Pty Ltd on 19 December 2011, under section 4.3A.23(3) of the Act.

Land Tax Act 2005 — Treasurer's Report of land tax absentee owner surcharge exemptions for 2018-19, under sections 3B and 3BA of the Act.

Members of Parliament (Standards) Act 1978 — Register of Interests — Return submitted by a Member of the Legislative Council — Primary Return, 12 September 2019 (*Ordered to be published*).

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

Alpine Resorts Planning Scheme — Amendment C27.

Banyule Planning Scheme — Amendment C115.

Bass Coast Planning Scheme — Amendment GC149.

Bayside Planning Scheme — Amendment C152.

Boroondara Planning Scheme — Amendment C274 (Part 2).

Brimbank Planning Scheme — Amendment C202.

Cardinia Planning Scheme — Amendments C205 and C237.

East Gippsland Planning Scheme — Amendment C153.

Frankston Planning Scheme — Amendment C124.

Glenelg Planning Scheme — Amendment C90.

Greater Dandenong Planning Scheme — Amendments C202 and C205.

Greater Geelong Planning Scheme — Amendments C359 (Part 2), C376 (Part 2) and C392.

Greater Shepparton Planning Scheme — Amendments C118 and C214.

Hobsons Bay Planning Scheme — Amendment C116 (Part 2).

- Hume Planning Scheme — Amendment C225.  
 Knox Planning Scheme — Amendment C182.  
 Macedon Ranges Planning Scheme — Amendment C118.  
 Manningham Planning Scheme — Amendments C109 (Part 1) and C117.  
 Maribyrnong Planning Scheme — Amendments C124 and C145.  
 Melbourne Planning Scheme — Amendments C359 and C360.  
 Moonee Valley Planning Scheme — Amendment C208.  
 Mornington Peninsula Planning Scheme — Amendments C226 and C254.  
 Stonnington Planning Scheme — Amendments C276 and C298.  
 Victoria Planning Provisions — Amendments VC161 and VC164.  
 Warrnambool Planning Scheme — Amendment C201.  
 Wellington Planning Scheme — Amendments C107 and C108.  
 Whittlesea Planning Scheme — Amendment C209.
- Statutory Rules under the following Acts of Parliament —  
 Assisted Reproductive Treatment Act 2008 — No. 86.  
 Births, Deaths and Marriages Registration Act 1996 — Nos. 77 and 78.  
 Child Wellbeing and Safety Act 2005 — No. 85.  
 Coroners Act 2008 — No. 76.  
 Gene Technology Act 2001 — No. 91.  
 Magistrates' Court Act 1989 — Nos. 81, 82, 87 and 95.  
 Metropolitan Fire Brigades Act 1958 — No. 92.  
 Parliamentary Salaries, Allowances and Superannuation Act 1968 — Nos. 84 and 94.  
 Relationships Act 2008 — No. 79.  
 Road Safety Act 1986 — Nos. 88 and 93.  
 Sheriff Act 2009 — No. 80.  
 Subordinate Legislation Act 1994 — No. 89.  
 Supreme Court Act 1986 — No. 90.  
 Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 — No. 83.  
 Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 71, 72, 76 to 86, 88 to 90 and 94.  
 Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019 —  
 Determination No. 1/2019 setting the value of salaries and allowances for Members of Parliament (Victoria), 17 September 2019, under section 26 of the Act.  
 Guidelines No. 1/2019 for or with respect to the use of work-related parliamentary allowances and the Electorate Office and Communications Budget, 17 September 2019, under section 36 of the Act.

\* \* \* \* \*

**PROCLAMATIONS** — Proclamations of the Governor in Council fixing operative dates in respect of the following Acts were laid on the Table by the Clerk:

- Emergency Management Legislation Amendment Act 2018 — Part 2 — 25 September 2019 (*Gazette No. S358, 10 September 2019*).  
 Justice Legislation Amendment (Police and Other Matters) Act 2019 — Remaining Provisions of Part 6 — 1 October 2019 (*Gazette No. S386, 24 September 2019*).

\* \* \* \* \*

A Proclamation of the Lieutenant-Governor in Council fixing an operative date in respect of the following Act:

- Water and Catchment Legislation Amendment Act 2019 — Whole Act (except Sections 5(2), 5(8), 83, 86, 89 and 96) — 9 October 2019 (*Gazette No. S409, 8 October 2019*).

- 12 PRODUCTION OF DOCUMENTS — GJK FACILITY SERVICES** — The Clerk laid on the Table 12 documents and a letter from the Attorney-General, dated 11 October 2019, in response to the Resolution of the Council of 1 May 2019 relating to GJK Facility Services, noting that in the time available the Government has not been able to fully assess all the documents falling within the scope of the order.

**13 BUSINESS OF THE COUNCIL** — Mr Grimley moved, by leave, That precedence be given to the following General Business on Wednesday, 16 October 2019 —

- (1) Order of the Day No. 5, second reading of the Environment Protection Amendment (Refund on Bottles and Cans) Bill 2019;
- (2) Order of the Day No. 4, second reading of the Road Safety Amendment (Medicinal Cannabis) Bill 2019;
- (3) the notice of motion given this day by Ms Crozier relating to health funding;
- (4) Order of the Day No. 17, resumption of debate on the motion in relation to the Shepparton Education Plan;
- (5) Order of the Day No. 2, resumption of debate on the second reading of the Crimes Amendment (Trespass) Bill 2019;
- (6) the notice of motion given this day by Ms Maxwell in relation to mandatory sentencing for assaults on emergency service workers;
- (7) the notice of motion given this day by Ms Maxwell in relation to the Murray Basin Rail Project;
- (8) the notice of motion given this day by Mr Bourman, on behalf of the crossbench, in relation to Pregnancy and Infant Loss Remembrance Day; and
- (9) the notice of motion given this day by Ms Maxwell, on behalf of the crossbench, in relation to International Day of Rural Women.

Question — put and agreed to.

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

**15 BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 127 to 140, be postponed until later this day.

**16 MARINE AND FISHERIES LEGISLATION AMENDMENT BILL 2019** — Debate resumed on the question, That the Bill be now read a second time.

Mr Rich-Phillips moved, as a reasoned amendment, That all the words after "That" be omitted and replaced with the words "this House refuses to read this Bill a second time until the Government commits to —

- (1) a genuine consultation process with the Gippsland Lakes Fishery Access Licence Holders on the compulsory buyback of their licences; and
- (2) releasing all expert advice, including the Valuer-General's assessment on equipment, to individual licence holders in accordance with section 3A(1)(h) of the *Fisheries Act 1995*."

Debate ensued.

Question — That the reasoned amendment be agreed to — put.

The Council divided — The President in the Chair.

AYES, 18

Mr Atkinson; Mr Barton; Ms Bath; 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; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.  
(Tellers: Mr Finn and Dr Ratnam)

NOES, 22

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

Question negatived.

Question — That the Bill be now read a second time — 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.

**17 BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

**18 SUPERANNUATION LEGISLATION AMENDMENT BILL 2019** — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Jennings were circulated.

Question — put and agreed to.

Bill read a second time.

*The President having ruled that amendments proposed to be moved in Committee by Mr Jennings were outside the scope of the Bill —*

Mr Jennings moved, That it be an instruction to the Committee that they have power to consider amendments and a New Clause to amend the *Parliamentary Salaries, Allowances and Superannuation Act 1968* in relation to the Parliamentary Contributory Superannuation Fund.

Question — put and agreed to.

Bill committed to a Committee of the whole.

House in Committee.

Bill reported with amendments, 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 with amendments and requesting their agreement.

**19 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 6.22 p.m., adjourned until tomorrow.

ANDREW YOUNG  
*Clerk of the Legislative Council*

## No. 36 — Wednesday, 16 October 2019

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

**2 PETITIONS** —

**MANDATORY MINIMUM SENTENCE FOR FARM TRESPASS** — Mr Bourman presented a Petition bearing 261 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to introduce a mandatory minimum sentence of 6 months as the penalty for trespass onto farms or associated animal businesses.

Ordered to lie on the Table.

\* \* \* \* \*

**RESERVOIR RAIL CROSSING CLOSURE** — Mr Ondarchie presented a Petition bearing 142 signatures from certain citizens of Victoria requesting that the Legislative Council condemn the Government for its inadequate communication with Reservoir shopkeepers relating to the closure of the Reservoir rail crossing and requests that the Government take action so that local businesses affected by the road closure will still exist after the works are completed.

Ordered to lie on the Table.

**3 PAPERS** —

**PARLIAMENTARY DEPARTMENTS** — Ms Lovell moved, by leave, That there be laid before this House a copy of the —

(1) Department of the Legislative Council Report, 2018-19; and

(2) Department of Parliamentary Services Report, 2018-19.

Question — put and agreed to.

The Reports were presented by Ms Lovell and ordered to lie on the Table.

\* \* \* \* \*

**PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — RECOMMENDATION ON THE APPOINTMENT OF A PERSON TO CONDUCT THE PERFORMANCE AUDIT OF THE AUDITOR-GENERAL AND THE VICTORIAN AUDITOR-GENERAL'S OFFICE** — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Ms Stitt presented a Report from the Public Accounts and Estimates Committee on the Recommendation on the appointment of a person to conduct the performance audit of the Auditor-General and the Victorian Auditor-General's Office, October 2019.

Ordered to be published.

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

**5 ENVIRONMENT PROTECTION AMENDMENT (REFUND ON BOTTLES AND CANS) BILL 2019** — Dr Ratnam laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Dr Ratnam moved, That the Bill be now read a second time.

On the motion of Ms Stitt, the debate was adjourned for two weeks.

**6 ROAD SAFETY AMENDMENT (MEDICINAL CANNABIS) BILL 2019** — Ms Patten laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

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

On the motion of Ms Stitt, the debate was adjourned for two weeks.

**7 HEALTH FUNDING — 2019-20 STATE BUDGET** — Ms Crozier moved, That this House expresses concern with the Andrews Government's cuts to health funding in the 2019-20 Budget, and notes the direct impact this has had on the —

- (1) Austin Hospital;
- (2) Cyber Security of Hospital networks;
- (3) Primary Care Partnerships across the State; and
- (4) safety and wellbeing of Victorian patients and staff.

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, 11

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

*(Tellers: Ms Lovell and Ms Wooldridge)*

NOES, 28

Mr Barton; Dr Cumming; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Ms Maxwell; 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 Shing and Ms Vaghela)*

Question negatived.

*Business having been interrupted at 12.00 noon pursuant to Sessional Orders —*

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

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:



- **Primary Care Partnerships review** — substantive question asked by Ms Crozier — response from Ms Mikakos due Thursday, 17 October 2019.
- **Police supervision of mental health patients** — substantive and supplementary questions asked by Mr Grimley — response from Ms Tierney due Friday, 18 October 2019.
- **Regional Development Victoria – Budget** — substantive and supplementary questions asked by Ms Bath — response from Ms Symes due Thursday, 17 October 2019.
- **Public land sale** — substantive question asked by Mr Hayes — response from Mr Jennings due Friday, 18 October 2019.
- **Road safety – crash statistics** — supplementary question asked by Mr Rich-Phillips — response from Ms Pulford due Thursday, 17 October 2019.

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

**10 BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, General Business, No. 3, be postponed until later this day.

**11 CRIMES AMENDMENT (TRESPASS) BILL 2019** — 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, 13

Mr Atkinson; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Rich-Phillips; Ms Wooldridge.

*(Tellers: Ms Bath and Mrs McArthur)*

NOES, 26

Mr Elasmr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Ms Maxwell; 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 Elasmr and Ms Taylor)*

Question negatived.

**12 EMERGENCY WORKER SAFETY** — Ms Maxwell moved, That this House —

- (1) acknowledges the selfless dedication and commitment of the State's emergency workers to ensure community safety;
- (2) reaffirms that emergency workers have the right to be protected, just as the Victorian community expects them to protect us, from injury and harm;
- (3) expresses its concern at the continued proliferation of attacks on these workers;
- (4) confirms its commitment to the need for mandatory minimum sentences for assaults on emergency workers;
- (5) reinforces a very clear message to all Victorians that violence against emergency workers will not be tolerated;
- (6) calls on the Government to consider the need for further legislative changes that —
  - (a) better safeguard emergency workers from assaults; and
  - (b) more effectively prevent the perpetrators of such assaults from avoiding mandatory minimum sentences in Victorian courts.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 16

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

*(Tellers: Mr Grimley and Mr Rich-Phillips)*

## NOES, 24

Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Hayes; 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 Stitt)*

Question negatived.

- 13 MURRAY BASIN RAIL PROJECT** — Ms Maxwell moved, That this House requests that the Minister for Transport Infrastructure, the Hon Jacinta Allan MP, attend a public meeting, to provide information and answer questions about the Murray Basin Rail Project, at a time of day and at a place in Northern Victoria of her choosing, on or before 15 November 2019.

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

- 14 STATEMENTS ON REPORTS, PAPERS AND PETITIONS** — A statement on a petition was made by a Member pursuant to Sessional Order 16.

- 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 5.54 p.m., adjourned until tomorrow.

ANDREW YOUNG

*Clerk of the Legislative Council*

## No. 37 — Thursday, 17 October 2019

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

- 2 SUPERANNUATION LEGISLATION AMENDMENT BILL 2019** — The President read a Message from the Assembly informing the Council that they had agreed to the amendments made by the Council with an amendment with which agreement is requested.

Mr Jennings moved, That the Message be taken into consideration forthwith.

Question — put and agreed to.

The amendment remaining for consideration by the Council was read and is as follows:

**AMENDMENT NO 3 (resolved by the Council on 15 October 2019)**

Clause 2, line 2, after this line insert—

"(2) Section 4(5) is deemed to have come into operation on 1 July 2019.

(3) Section 16 is deemed to have come into operation on 16 September 2019.

***How dealt with by the Assembly***

Agreed to with the following amendment:

Omit "line 2" and insert "line 3".

Mr Jennings moved, that the Council agree to the amendment made by the Assembly to the amendment made by the Council.

Question — put and agreed to.

Message sent to the Assembly informing them accordingly.

- 3 PLANNING AND ENVIRONMENT AMENDMENT (LOCAL DEMOCRACY) BILL 2019** — Mr Hayes introduced *A Bill to amend the Planning and Environment Act 1987 to provide for increased responsible authority control of local planning policy and maximum building heights in their municipal districts, and for other purposes.*

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

**4 PAPERS —**

**CHILDREN'S COURT OF VICTORIA REPORT, 2017-18** — Ms Tierney presented, by Command of the Governor, the Children's Court of Victoria Report, 2017-18.  
Report ordered to lie on the Table.

\* \* \* \* \*

**COUNTY COURT OF VICTORIA REPORT, 2018-19** — Ms Tierney presented, by Command of the Governor, the County Court of Victoria Report, 2018-19.  
Report ordered to lie on the Table.

\* \* \* \* \*

**MAGISTRATES' COURT OF VICTORIA REPORT, 2017-18** — Ms Tierney presented, by Command of the Governor, the Magistrates' Court of Victoria Report, 2017-18.  
Report ordered to lie on the Table.

\* \* \* \* \*

**ABSOLUTELY EVERYONE STATE DISABILITY PLAN ANNUAL REPORT 2018** — Ms Mikakos moved, by leave, That there be laid before this House a copy of the Absolutely Everyone State Disability Plan Annual Report 2018.  
Question — put and agreed to.  
The Report was presented by Ms Mikakos and ordered to lie on the Table.

\* \* \* \* \*

**OFFICE OF THE PUBLIC ADVOCATE REPORT, 2018-19** — Ms Tierney moved, by leave, That there be laid before this House a copy of the Office of the Public Advocate Report, 2018-19.  
Question — put and agreed to.  
The Report was presented by Ms Tierney and ordered to lie on the Table and be published.

\* \* \* \* \*

**VICTORIA LAW FOUNDATION REPORT, 2018-19** — Ms Tierney moved, by leave, That there be laid before this House a copy of the Victoria Law Foundation Report, 2018-19.  
Question — put and agreed to.  
The Report was presented by Ms Tierney and ordered to lie on the Table.

\* \* \* \* \*

**VICTORIAN LAW REFORM COMMISSION REPORT, 2018-19** — Ms Tierney moved, by leave, That there be laid before this House a copy of the Victorian Law Reform Commission Report, 2018-19.  
Question — put and agreed to.  
The Report was presented by Ms Tierney and ordered to lie on the Table and be published.

\* \* \* \* \*

**CONSUMER POLICY RESEARCH CENTRE REPORT, 2018-19** — Ms Tierney moved, by leave, That there be laid before this House a copy of the Consumer Policy Research Centre Report, 2018-19.  
Question — put and agreed to.  
The Report was presented by Ms Tierney and ordered to lie on the Table.

\* \* \* \* \*

**VISIT VICTORIA LIMITED REPORT, 2018-19** — Ms Tierney moved, by leave, That there be laid before this House a copy of the Visit Victoria Limited Report, 2018-19.  
Question — put and agreed to.  
The Report was presented by Ms Tierney and ordered to lie on the Table.

\* \* \* \* \*

**HAZELWOOD MINE FIRE INQUIRY IMPLEMENTATION OF RECOMMENDATIONS AND AFFIRMATIONS REPORT, 2018** — Ms Tierney moved, by leave, That there be laid before this House a copy of the Hazelwood Mine Fire Inquiry Implementation of recommendations and affirmations Report, 2018.  
Question — put and agreed to.

The Report was presented by Ms Tierney and ordered to lie on the Table and be published.

\* \* \* \* \*

**SENTENCING ADVISORY COUNCIL REPORT, 2018-19** — Ms Tierney moved, by leave, That there be laid before this House a copy of the Sentencing Advisory Council Report, 2018-19. Question — put and agreed to.

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

\* \* \* \* \*

**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 — Report, 2018-19.
- Adult, Community and Further Education Board — Report, 2018-19.
- Adult Parole Board of Victoria — Report, 2018-19.
- Agriculture Victoria Services Pty Ltd — Report, 2018-19.
- Albury Wodonga Health — Report, 2018-19.
- Alexandra Health Service — Report, 2018-19.
- Alfred Health — Report, 2018-19.
- Alpine Health — Report, 2018-19.
- Ambulance Victoria — Report, 2018-19.
- AMES Australia — Report, 2018-19.
- Architects Registration Board of Victoria — Acting Minister's report of receipt of the 2018-19 report.
- Auditor-General's Report on Cenitex: Meeting Customer Needs for ICT Shared Services, October 2019 (*Ordered to be published*).
- Austin Health — Report, 2018-19.
- Australian Centre for the Moving Image (ACMI) — Report, 2018-19.
- Australian Grand Prix Corporation — Report, 2018-19.
- Bairnsdale Regional Health Service — Report, 2018-19.
- Ballarat General Cemeteries Trust — Report, 2018-19.
- Ballarat Health Services — Report, 2018-19.
- Barwon Health — Report, 2018-19.
- Barwon Region Water Corporation — Report, 2018-19.
- Barwon South West Waste and Resource Recovery Group — Minister's report of receipt of the 2018-19 report.
- Bass Coast Health — Report, 2018-19.
- Beaufort and Skipton Health Service — Report, 2018-19.
- Beechworth Health Service — Report, 2018-19.
- Benalla Health — Report, 2018-19.
- Bendigo Cemeteries Trust — Minister's report of receipt of the 2018-19 report.
- Bendigo Health Care Group — Report, 2018-19.
- Boort District Health — Report, 2018-19.
- Calvary Health Care Bethlehem Limited — Report, 2018-19.
- Casterton Memorial Hospital — Report, 2018-19.
- Castlemaine Health — Report, 2018-19.
- Cenitex — Report, 2018-19.
- Central Gippsland Health Service — Report, 2018-19.
- Central Gippsland Region Water Corporation — Report, 2018-19.
- Central Highlands Region Water Corporation — Report, 2018-19.
- City West Water Corporation — Report, 2018-19.
- Cobram District Health — Report, 2018-19.
- Cohuna District Hospital — Report, 2018-19.
- Colac Area Health — Report, 2018-19.
- Coliban Region Water Corporation — Report, 2018-19.
- Commissioner for Environmental Sustainability — Minister's report of receipt of the 2018-19 report.
- Community Visitors — Report, 2018-19 (*Ordered to be published*).

Confiscation Act 1997 — Asset Confiscation Operations Report, 2018-19.  
Consumer Affairs Victoria — Report, 2018-19 (*Ordered to be published*).  
Corangamite Catchment Management Authority — Report, 2018-19.  
Coronial Council of Victoria — Report, 2018-19.  
Corryong Health — Report, 2018-19.  
Council of Trustees of the National Gallery of Victoria (NGV) — Report, 2018-19.  
Country Fire Authority (CFA) — Report, 2018-19.  
Court Services Victoria — Report, 2018-19.  
Dairy Food Safety Victoria — Report, 2018-19.  
Dental Health Services Victoria — Report, 2018-19.  
Development Victoria — Report, 2018-19.  
Disability Services Commissioner — Report, 2018-19.  
Djerriwarrh Health Services — Report, 2018-19.  
Docklands Studios Melbourne Pty Ltd — Report, 2018-19.  
East Gippsland Catchment Management Authority — Report, 2018-19.  
East Gippsland Region Water Corporation — Report, 2018-19.  
East Grampians Health Service — Report, 2018-19.  
East Wimmera Health Service — Report, 2018-19.  
Eastern Health — Report, 2018-19.  
Echuca Regional Health — Report, 2018-19.  
Edenhope and District Memorial Hospital — Report, 2018-19.  
Education and Training Department — Report, 2018-19.  
Emergency Services Superannuation Board (ESSSuper) — Report, 2018-19.  
Emergency Services Telecommunications Authority (ESTA) — Report, 2018-19.  
Energy Safe Victoria — Report, 2018-19.  
Environment, Land, Water and Planning Department — Report, 2018-19.  
Environment Protection Authority (EPA) — Report, 2018-19.  
Essential Services Commission — Report, 2018-19.  
Fed Square Pty Ltd — Report, 2018-19.  
Film Victoria — Report, 2018-19.  
Forensic Leave Panel — Report, 2018.  
Game Management Authority — Report, 2018-19.  
Geelong Cemeteries Trust — Report, 2018-19.  
Geoffrey Gardiner Dairy Foundation Limited — Report, 2018-19.  
Gippsland and Southern Rural Water Corporation — Report, 2018-19.  
Gippsland Southern Health Service — Report, 2018-19.  
Glenelg Hopkins Catchment Management Authority — Report, 2018-19.  
Goulburn Broken Catchment Management Authority — Report, 2018-19.  
Goulburn Murray Rural Water Corporation — Report, 2018-19.  
Goulburn Valley Health (GV Health) — Report, 2018-19.  
Goulburn Valley Region Water Corporation — Report, 2018-19.  
Grampians Central West Waste and Resource Recovery Group — Minister's report of receipt of the 2018-19 report.  
Grampians Wimmera Mallee Water Corporation (GWM Water) — Report, 2018-19.  
Greater Metropolitan Cemeteries Trust — Report, 2018-19.  
Greater Sunraysia Pest Free Area Industry Development Committee — Minister's report of receipt of the 2018-19 report, together with an explanation for the delay.  
Greyhound Racing Victoria — Report, 2018-19.  
Harness Racing Victoria — Report, 2018-19.  
Health and Human Services Department — Report, 2018-19.  
Health Purchasing Victoria — Report, 2018-19.  
Heathcote Health — Report, 2018-19.  
Hepburn Health Service — Report, 2018-19.  
Heritage Council of Victoria — Minister's report of receipt of the 2018-19 report.  
Hesse Rural Health Service — Report, 2018-19.  
Heywood Rural Health Service — Report, 2018-19.

Infrastructure Victoria — Report, 2018-19.  
Inglewood and Districts Health Service — Report, 2018-19.  
Jobs, Precincts and Regions Department — Report, 2018-19.  
Justice and Community Safety Department — Report, 2018-19.  
Kardinia Park Stadium Trust — Report, 2018-19.  
Kerang District Health — Report, 2018-19.  
Kyabram District Health Service — Report, 2018-19.  
Kyneton District Health Service — Report, 2018-19.  
Latrobe Regional Hospital — Report, 2018-19.  
Latrobe Valley Mine Rehabilitation Commissioner — Report, 2018-19.  
Legal Practitioners' Liability Committee — Report, 2018-19.  
Library Board of Victoria — Report, 2018-19.  
Liquor Control Reform Act 1998 — Report, 2018-19 by the Chief Commissioner of Victoria Police, pursuant to section 148R.  
Lorne Community Hospital — Report, 2018-19.  
Lower Murray Urban and Rural Water Corporation — Report, 2018-19.  
Maldon Hospital — Report, 2018-19.  
Mallee Catchment Management Authority — Report, 2018-19.  
Mallee Track Health and Community Service — Report, 2018-19.  
Mansfield District Hospital — Report, 2018-19.  
Maryborough District Health Service — Report, 2018-19.  
Melbourne and Olympic Parks Trust — Report, 2018-19.  
Melbourne Convention and Exhibition Trust — Report, 2018-19.  
Melbourne Health — Report, 2018-19.  
Melbourne Market Authority — Report, 2018-19.  
Melbourne Port Lessor Pty Ltd — Report, 2018-19.  
Melbourne Recital Centre — Report, 2018-19.  
Melbourne Water Corporation — Report, 2018-19.  
Mental Health Complaints Commissioner — Report, 2018-19.  
Mental Health Tribunal Report — Report, 2018-19.  
Mercy Hospitals Victoria Ltd — Report, 2018-19.  
Metropolitan Fire and Emergency Services Board (MFB) — Report, 2018-19.  
Mildura Cemetery Trust — Minister's report of receipt of the 2018-19 report.  
Monash Health — Report, 2018-19.  
Moyne Health Services — Report, 2018-19.  
Museums Board of Victoria — Report, 2018-19.  
Nathalia District Hospital — Report, 2018-19.  
National Parks Act 1975 — Report on the working of the Act, 2018-19.  
National Parks Advisory Council — Report, 2018-19.  
North Central Catchment Management Authority — Report, 2018-19.  
North East Catchment Management Authority — Report, 2018-19.  
North East Region Water Corporation — Report, 2018-19.  
North East Waste and Resource Recovery Group — Minister's report of receipt of the 2018-19 report.  
Northeast Health Wangaratta — Report, 2018-19.  
Northern Health — Report, 2018-19.  
Numurkah District Health Service — Report, 2018-19.  
Office of Public Prosecutions — Report, 2018-19.  
Office of the National Rail Safety Regulator — Report, 2018-19.  
Office of the Victorian Information Commissioner — Report, 2018-19.  
Omeo District Health — Report, 2018-19.  
Orbost Regional Health — Report, 2018-19.  
Otway Health — Report, 2018-19.  
Parks Victoria — Report, 2018-19.  
Peninsula Health — Report, 2018-19.  
Peter MacCallum Cancer Centre — Report, 2018-19.

Phillip Island Nature Parks — Report, 2018-19.  
Phytogene Pty Ltd — Minister's report of receipt of the 2018-19 report.  
Police Registration and Services Board — Report, 2018-19.  
Port Phillip and Westernport Catchment Management Authority — Report, 2018-19.  
Portable Long Service Benefits Authority — Report, 2018-19.  
Portland District Health — Report, 2018-19.  
Post Sentence Authority Report — Report, 2018-19.  
Premier and Cabinet Department — Report, 2018-19.  
PrimeSafe — Report, 2018-19.  
Public Interest Monitor — Report, 2018-19.  
Public Record Office Victoria (PROV) — Report, 2018-19.  
Public Transport Development Authority (PTV) — Report, 2018-19.  
Queen Elizabeth Centre — Report, 2018-19.  
Queen Victoria Women's Centre Trust — Minister's report of receipt of the 2018-19 report.  
Racing Integrity Commissioner — Report, 2018-19.  
Radiation Advisory Committee — Report, 2018-19.  
Regional Development Victoria — Report, 2018-19.  
Residential Tenancies Bond Authority — Report, 2018-19.  
Road Safety Camera Commissioner — Report, 2018-19.  
Roads Corporation (VicRoads) — Report, 2018-19.  
Robinvale District Health Service — Report, 2018-19.  
Rochester and Elmore District Health Service — Report, 2018-19.  
Rolling Stock (Victoria-VL) Pty Limited — Report, 2018-19.  
Rolling Stock (VL-1) Pty Limited — Report, 2018-19.  
Rolling Stock (VL-2) Pty Limited — Report, 2018-19.  
Rolling Stock (VL-3) Pty Limited — Report, 2018-19.  
Rolling Stock Holdings (Victoria) Pty Limited — Report, 2018-19.  
Royal Botanic Gardens Board Victoria — Report, 2018-19.  
Royal Children's Hospital — Report, 2018-19.  
Royal Victorian Eye and Ear Hospital — Report, 2018-19.  
Royal Women's Hospital — Report, 2018-19.  
Rural Northwest Health — Report, 2018-19.  
Sentencing Advisory Council — Minister's report of receipt of the 2018-19 report.  
Seymour Health — Report, 2018-19.  
Shrine of Remembrance Trustees — Report, 2018-19.  
South East Water Corporation — Report, 2018-19.  
South Gippsland Hospital — Report, 2018-19.  
South Gippsland Region Water Corporation — Report, 2018-19.  
South West Healthcare — Report, 2018-19.  
Southern Metropolitan Cemeteries Trust — Report, 2018-19.  
St Vincent's Hospital (Melbourne) Limited — Report, 2018-19.  
State Electricity Commission of Victoria — Report, 2018-19.  
State Sport Centres Trust — Report, 2018-19.  
State Trustees Limited — Report, 2018-19.  
A Statutory Rule under an Act of Parliament — Road Safety Act 1986 — No. 96.  
Stawell Regional Health — Report, 2018-19.  
Swan Hill District Health — Report, 2018-19.  
Tallangatta Health Service — Report, 2018-19.  
Terang and Mortlake Health Service — Report, 2018-19.  
The Kilmore and District Hospital — Report, 2018-19.  
Timboon and District Healthcare Service — Report, 2018-19.  
Transport Accident Commission (TAC) — Report, 2018-19.  
Transport Department — Report, 2018-19.  
Treasury and Finance Department — Report, 2018-19.  
Treasury Corporation of Victoria — Report, 2018-19.  
Tweddle Child and Family Health Service — Report, 2018-19.

- V/Line Corporation — Report, 2018-19.
- Veterinary Practitioners Registration Board of Victoria — Minister's report of receipt of the 2018-19 report.
- VicForests — Report, 2018-19.
- Victims of Crime Assistance Tribunal — Report, 2018-19.
- Victims of Crime Commissioner — Report, 2018-19.
- Victoria Grants Commission — Report, 2018-19.
- Victoria Legal Aid — Report, 2018-19.
- Victoria Police — Report, 2018-19.
- Victoria State Emergency Service Authority (SES) — Report, 2018-19.
- Victorian Arts Centre Trust — Report, 2018-19.
- Victorian Assisted Reproductive Treatment Authority — Minister's report of receipt of the 2018-19 report.
- Victorian Broiler Industry Negotiation Committee — Report, 2018-19.
- Victorian Building Authority — Report, 2018-19.
- Victorian Catchment Management Council — Report, 2018-19.
- Victorian Civil and Administrative Tribunal — Report, 2018-19.
- Victorian Commission for Gambling and Liquor Regulation — Report, 2018-19.
- Victorian Curriculum Assessment Authority — Report, 2018-19.
- Victorian Environmental Assessment Council — Report, 2018-19.
- Victorian Environmental Water Holder — Report, 2018-19.
- Victorian Equal Opportunity and Human Rights Commission — Report, 2018-19  
(*Ordered to be published*).
- Victorian Fisheries Authority — Report, 2018-19.
- Victorian Funds Management Corporation — Report, 2018-19.
- Victorian Government Purchasing Board — Report, 2018-19.
- Victorian Health Promotion Foundation (VicHealth) — Report, 2018-19.
- Victorian Institute of Forensic Medicine — Report, 2018-19.
- Victorian Institute of Forensic Mental Health — Report, 2018-19.
- Victorian Institute of Teaching — Report, 2018-19.
- Victorian Law Reform Commission — Minister's report of receipt of the 2018-19 report.
- Victorian Legal Services Board and the Legal Services Commissioner — Report, 2018-19  
(*Ordered to be published*).
- Victorian Managed Insurance Authority — Report, 2018-19.
- Victorian Marine and Coastal Council — Report, 2018-19.
- Victorian Multicultural Commission — Report, 2018-19.
- Victorian Pharmacy Authority — Report, 2018-19.
- Victorian Planning Authority — Report, 2018-19.
- Victorian Plantations Corporation — Report, 2018-19.
- Victorian Ports Corporation (Melbourne) — Report, 2018-19.
- Victorian Public Sector Commission — Report, 2018-19.
- Victorian Rail Track (VicTrack) — Report, 2018-19.
- Victorian Regional Channels Authority — Report, 2018-19.
- Victorian Registration and Qualifications Authority — Report, 2018-19.
- Victorian Responsible Gambling Foundation — Report, 2018-19.
- Victorian Small Business Commission — Report, 2018-19 (*Ordered to be published*).
- Victorian Strawberry Industry Development Committee — Minister's report of receipt of the 2018-19 report.
- Victorian Veterans Council — Report, 2018-19.
- Victorian WorkCover Authority (WorkSafe) — Report, 2018-19.
- Wannon Region Water Corporation — Report, 2018-19.
- West Gippsland Catchment Management Authority — Report, 2018-19.
- West Gippsland Healthcare Group — Report, 2018-19.
- West Wimmera Health Service — Report, 2018-19.
- Western District Health Service — Report, 2018-19.
- Western Health — Report, 2018-19.



Western Region Water Corporation — Report, 2018-19.  
 Westernport Region Water Corporation — Report, 2018-19.  
 Wimmera Catchment Management Authority — Report, 2018-19.  
 Wimmera Health Care Group — Report, 2018-19.  
 Yarra Valley Water Corporation — Report, 2018-19.  
 Yarram and District Health Service — Report, 2018-19.  
 Yarrawonga Health — Report, 2018-19.  
 Yea and District Memorial Hospital — Report, 2018-19.  
 Youth Parole Board — Report, 2018-19.  
 Zoological Parks and Gardens Board — Report, 2018-19.

**5 SITTING OF THE COUNCIL** — Ms Pulford moved, That the Council, at its rising, adjourn until Tuesday, 29 October 2019.

Question — put and agreed to.

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

**7 BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 127 to 140, be postponed until later this day.

**8 RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019** — 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 Mr Bourman were circulated.

*Business having been interrupted at 12.00 noon pursuant to Sessional Orders —*

**9 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:

- **Health Services – Statements of Priorities** — substantive question asked by Ms Crozier — response from Ms Mikakos due Friday, 18 October 2019.
- **Box Hill Police Station flag display** — substantive question asked by Mr Limbrick — response from Ms Tierney due Monday, 21 October 2019.
- **Collins Street – possible closure** — substantive and supplementary questions asked by Mr Davis — response from Ms Pulford due Monday, 21 October 2019.

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

**11 RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019** — Debate continued on the question, That the Bill be now read a second time.

Question — put.

The Council divided — The President in the Chair.

AYES, 26

Mr Barton; Dr Cumming; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Ms Maxwell; 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 Erdogan and Mr Gepp)*

NOES, 14

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

*(Tellers: Mr Limbrick and Mr Ondarchie)*

Question agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Bill reported with amendments, 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, 25

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

(*Tellers: Mr Elasmarr and Ms Vaghela*)

NOES, 14

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

(*Tellers: Mr O'Donohue and Ms Wooldridge*)

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 with amendments and requesting their agreement.

**12 AUDITOR-GENERAL'S OFFICE PERFORMANCE AUDIT** — The President announced the receipt of a Message from the Assembly advising the Council that they have agreed to the following resolution:

Under section 82 of the *Audit Act 1994*, Mr Paul Houlston, Managing Partner, Allen and Clarke Consulting be appointed:

- (a) to conduct the performance audit of the Auditor-General and the Victorian Auditor-General's Office in 2019-20;
- (b) in accordance with the terms, conditions and specifications as set out in the Request for Tender issued by the Public Accounts and Estimates Committee on 7 August 2019; and
- (c) at a fixed fee of \$271,475 (excluding GST).

Ordered — That the Message be taken into consideration forthwith.

Mr Jennings moved, by leave, That the Council concurs with the Assembly and resolves, that under section 82 of the *Audit Act 1994*, Mr Paul Houlston, Managing Partner, Allen and Clarke Consulting be appointed:

- (a) to conduct the performance audit of the Auditor-General and the Victorian Auditor-General's Office in 2019-20;
- (b) in accordance with the terms, conditions and specifications as set out in the Request for Tender issued by the Public Accounts and Estimates Committee on 7 August 2019; and
- (c) at a fixed fee of \$271,475 (excluding GST).

Question — put and agreed to.

Message sent to the Assembly informing them accordingly.

**13 HEALTH LEGISLATION AMENDMENT AND REPEAL BILL 2019** — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Limbrick and Ms Patten were circulated.

Question — put and agreed to.

Bill read a second time.

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

Mr Limbrick moved, That it be an instruction to the Committee that they have the power to consider amendments and a New Clause to amend the *Tobacco Act 1987* to remove the prohibition on the manufacture and sale of smokeless forms of tobacco and to further provide for the regulation of specialist e-cigarette retailing premises.

Question — put and agreed to.

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

Ms Patten moved, That it be an instruction to the Committee that they have power to consider amendments and a New Clause to amend *the Drugs, Poisons and Controlled Substances Act 1981* in relation to streamlining the processes for administering, supplying and prescribing cannabis and cannabidiol for medicinal purposes.

Question — put and agreed to.

Bill 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 Symes, 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, 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 CHILDREN'S SERVICES AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Children's Services Act 1996 to further provide for the regulation of children's services, consistently with the Education and Care Services National Law (Victoria) where appropriate, including establishing a scheme for the approval of persons who provide the services and for the operation of the services and to provide for the monitoring and enforcement of the scheme, to make related minor and consequential amendments to other Acts and for other purposes* and requesting the agreement of the Council.

On the motion of Mr Somyurek (for Ms Mikakos), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

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.

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

- 15 CONSUMER LEGISLATION AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Australian Consumer Law and Fair Trading Act 2012, the Domestic Building Contracts Act 1995, the Fundraising Act 1998, the Residential Tenancies Act 1997, the Residential Tenancies Amendment Act 2018 and the Sex Work Act 1994 and for other purposes* and requesting the agreement of the Council.

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

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.

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

**16 POLICE LEGISLATION AMENDMENT (ROAD SAFETY CAMERA COMMISSIONER AND OTHER MATTERS) BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Road Safety Camera Commissioner Act 2011, the Victoria Police Act 2013 and the Magistrates' Court Act 1989 and for other purposes* and requesting the agreement of the Council.

On the motion of Mr Somyurek (for Ms Tierney), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

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.

On the motion of Ms Crozier (for Mr O'Donohue), the debate was adjourned for one week.

**17 LAND (REVOCAION OF RESERVATIONS) BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to provide for the revocation of certain permanent reservations of Crown land at Frankston, Camberwell, Geelong and Coleraine, to revoke related Crown grants and to re-reserve certain land and for other purposes* and requesting the agreement of the Council.

On the motion of Mr Somyurek (for Mr Jennings), the Bill was read a first time and ordered to be read a second time on the next day of meeting.

**18 ADJOURNMENT** — Mr Somyurek 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 8.12 p.m., adjourned until Tuesday, 29 October 2019.

ANDREW YOUNG  
*Clerk of the Legislative Council*

# COMMITTEE OF THE WHOLE COUNCIL

## Supplement to Minutes Nos. 35, 36 and 37

---

### MARINE AND FISHERIES LEGISLATION AMENDMENT BILL 2019

*Committed Tuesday, 15 October 2019*

**Clauses 1 to 18** — put and agreed to.

**Bill reported without amendment.**

\* \* \* \* \*

### SUPERANNUATION LEGISLATION AMENDMENT BILL 2019

*Committed Tuesday, 15 October 2019*

*Amendments circulated: Mr Jennings (see pp. 266-8).*

**Clause 1** — Mr Jennings moved Amendment No. 1 — put and agreed to.

Clause 1, as amended — put and agreed to.

**Clause 2** — Mr Jennings moved Amendment Nos. 2 and 3 — put and agreed to.

Clause 2, as amended — put and agreed to.

**Clause 3** — Mr Jennings moved Amendment No. 4 — put and agreed to.

Clause 3, as amended — put and agreed to.

**Clauses 4 to 15** — put and agreed to.

**New Clause** — Mr Jennings moved Amendment No. 5.

Question — That the New Clause stands part of the Bill — put and agreed to.

**Clause 16** — put and agreed to.

**Bill reported with amendments.**

\* \* \* \* \*

### RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019

*Committed Thursday, 17 October 2019*

*Amendments circulated: Mr Limbrick (see p. 268), Mr Bourman (see p. 268) and Dr Ratnam (see p. 269).*

Amendments proposed to be moved in Committee by Mr Limbrick were circulated.

**Clause 1** — Mr Limbrick moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 6

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

## NOES, 34

Mr Atkinson; Mr Barton; Ms Bath; Ms Crozier; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Ms Garrett; Mr Gepp; Mr Hayes; 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; Dr Ratnam; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

*(Tellers: Mr Gepp and Dr Ratnam)*

Question negatived.

Mr Bourman moved Amendment No. 1 — put and agreed to.

Dr Ratnam moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 2

Mr Meddick; Dr Ratnam.

*(Tellers: Mr Meddick and Dr Ratnam)*

## NOES, 38

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

*(Tellers: Mr Limbrick and Mr Quilty)*

Question negatived.

Clause 1, as amended — put and agreed to.

**Clause 2** — put and agreed to.

**New Clause** — Mr Bourman moved Amendment No. 2.

Question — That the New Clause stands part of the Bill — put and agreed to.

**Clauses 3 to 5** — put and agreed to.

**Bill reported with amendments.**

\* \* \* \* \*

## HEALTH LEGISLATION AMENDMENT AND REPEAL BILL 2019

*Committed Thursday, 17 October 2019*

*Amendments circulated: Ms Patten (see p. 268), Mr Limbrick (see pp. 269-70) and Ms Crozier (see p. 270).*

**Clause 1** — Ms Patten moved Amendment No. 1 — put and negatived.

Mr Limbrick moved Amendment No. 1 — put and negatived.

Mr Limbrick moved Amendment No. 2.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 4

Dr Cumming; Mr Limbrick; Ms Patten; Mr Quilty.  
(*Tellers: Mr Limbrick and Ms Patten*)

NOES, 36

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Pulford; Dr Ratnam; 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 Grimley*)

Question negated.

Clause 1 — put and agreed to.

**Clauses 2 to 84** — put and agreed to.

**Clause 85** — Ms Crozier moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 13

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

NOES, 27

Mr Barton; Mr Bourman; Dr Cumming; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Hayes; 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 Hayes and Dr Ratnam*)

Question negated.

Clause 85 — put and agreed to.

**Clauses 86 to 88** — put and agreed to.

**Bill reported without amendment.**

**AMENDMENTS CIRCULATED IN RELATION TO —****1. SUPERANNUATION LEGISLATION AMENDMENT BILL 2019**Amendments circulated by Mr Jennings

1. Clause 1, line 9, after "Acts" insert "and to amend the **Parliamentary Salaries, Allowances and Superannuation Act 1968** in relation to the Parliamentary Contributory Superannuation Fund".
2. Clause 2, line 2, after "Act" insert "(except sections 4(5) and 16)".
3. Clause 2, line 2, after this line insert—
  - "(2) Section 4(5) is deemed to have come into operation on 1 July 2019.
  - (3) Section 16 is deemed to have come into operation on 16 September 2019.
4. Clause 3, line 7, before "then" insert "on or after 1 July 2019".

## NEW CLAUSE

5. Insert the following New Clause to follow after clause 15—

**'16 Amendment of the Parliamentary Salaries, Allowances and Superannuation Act 1968**

In the **Parliamentary Salaries, Allowances and Superannuation Act 1968**—

- (a) in section 10(1) **insert** the following definition—

**"additional salary** means the amount of additional salary calculated in accordance with the Table in subsection (6);"

- (b) after section 10(5) **insert**—

"(6) For the purposes of the definition of **additional salary**, additional salary means the highest additional salary amount specified in the Table in respect of the offices held by the Member.

**TABLE**

<i>Office</i>	<i>Additional Salary</i>
	% per annum of basic salary
Premier	100
Deputy Premier	85
Any other responsible Minister of the Crown	75
Leader of the Opposition	75
President	65
Speaker	65
Deputy President	20
Deputy Speaker	20
Deputy Leader of the Opposition in the Assembly	32
Leader of the Opposition in the Council	32



<i>Office</i>	<i>Additional Salary</i>
	% per annum of basic salary
Leader of the Third Party (unless the Leader of the Third Party is also Leader or Deputy Leader of the Opposition or a Minister of the Crown)	32
Cabinet Secretary	32
Parliamentary Secretary to the Premier	20
Chairperson of the Public Accounts and Estimates Committee	20
Government Whip in the Assembly	18
Deputy Leader of the Opposition in the Council	18
Deputy Leader of the Third Party (unless the Deputy Leader of the Third Party is also Leader or Deputy Leader of the Opposition or a Minister of the Crown)	18
Parliamentary Secretaries	15
Chairperson of the Scrutiny of Acts and Regulations Committee	15
Chairperson of the Integrity and Oversight Committee	15
Government Whip in the Council	11
Opposition Whip in the Assembly	11
Opposition Whip in the Council	11
Whip of the Third Party in the Assembly	11
Whip of the Third Party in the Council	11
Deputy Government Whip in the Assembly	10
Chairperson of a standing committee appointed under standing orders of the Assembly or the Council	10
Chairperson of a Joint Investigatory Committee within the meaning of the <b>Parliamentary Committees Act 2003</b> which is not otherwise provided for in this Table	10
Chairperson of joint select committee where resolution establishing committee so provides that chairperson is entitled	5
Deputy chairperson of the Public Accounts and Estimates Committee	4
Deputy chairperson of the Scrutiny of Acts and Regulations Committee	4

<i>Office</i>	<i>Additional Salary</i>
	% per annum of basic salary
Deputy chairperson of the Integrity and Oversight Committee	4
Secretary of the Party forming the Government	4
Secretary of the Opposition Party	4
Secretary of the Third Party	4

- (c) in section 14(1) for "the gross amount of the instalment" **substitute** "an instalment of the aggregate of basic salary and additional salary";
- (d) in section 14(2) for "occupies an office specified in section 6(2)" **substitute** "is an office holder specified in the Table in section 10(6)";
- (e) in section 14(2) **omit** "payable to that member by virtue of occupying an office specified in section 6(2)";
- (f) for section 21A(4)(a) **substitute**—
- "(a) the following definitions apply—
- office** means an office specified in the Table in section 10(6);
- office holder** means the holder of an office specified in the Table in section 10(6);
- parliamentary allowance**, in relation to a Member, means basic salary;
- salary**, in relation to a Member who is an office holder, means additional salary;".

## 2. RENEWABLE ENERGY (JOBS AND INVESTMENT) AMENDMENT BILL 2019

### Amendments circulated by Mr Limbrick

1. Clause 1, after line 4 insert—
 

"(aa) to provide that renewable energy sources include nuclear energy; and".
2. Insert the following New Clause to follow clause 2—

#### **'2A Definitions**

In section 3 of the **Renewable Energy (Jobs and Investment) Act 2017**, after paragraph (b) of the definition of **renewable energy source** insert—

"(ba) nuclear;".

### Amendments circulated by Mr Bourman

1. Clause 1, after line 4 insert—
 

"(aa) to provide that renewable energy sources include hydro energy; and".
2. Insert the following New Clause to follow clause 2—

#### **'2A Definitions**

In section 3 of the **Renewable Energy (Jobs and Investment) Act 2017**, after paragraph (b) of the definition of **renewable energy source** insert—

"(ba) hydro;".

Amendments circulated by Dr Ratnam

1. Clause 1, line 6, omit "50%" and insert "100%".
2. Clause 3, line 13, omit "50%" and insert "100%".
3. Long title, omit "50%" and insert "100%".

**3. HEALTH LEGISLATION AMENDMENT AND REPEAL BILL 2019**Amendments circulated by Ms Patten

1. Clause 1, page 1, after line 5, **insert—**  

"(aa) to amend the **Drugs, Poisons and Controlled Substances Act 1981**, to streamline the processes for obtaining medicinal cannabis; and".
2. Clause 14, page 6, lines 22 to 24, omit this clause.

## NEW CLAUSE

3. Insert the following New Clause before clause 15—

**"14 Section 31A substituted**

For section 31A of the **Drugs, Poisons and Controlled Substances Act 1981**, **substitute—**

**'31A Division does not require certain people to obtain permits in respect of cannabis or cannabidiol**

Nothing in this Division or the regulations is to be taken to require a registered medical practitioner or a nurse practitioner to obtain a permit under this Division or the regulations in order to administer, supply or prescribe cannabis listed in Schedule 8 or Schedule 9 of the Poisons Standard under the heading "CANNABIS", or cannabidiol listed in Schedule 4 of the Poisons Standard under the heading "CANNABIDIOL", other than in respect of—

- (a) administering, supplying or providing it to a drug dependent person; or
- (b) administering, supplying or providing it for the purposes of a clinical trial; or
- (c) administering, supplying or providing it to a person who is aged under 16 years."

Amendments circulated by Mr Limbrick

1. Clause 1, page 3, line 9, after "advertisements" insert "and to remove the prohibition on the manufacture and sale of smokeless forms of tobacco".
2. Clause 1, page 3, after line 10 insert—  

"(iii) to further provide for the regulation of specialist e-cigarette retailing premises; and".
3. Clause 67, line 25, omit "**Exemptions**" and insert "**Sections 10 and 15 repealed**".
4. Clause 67, line 26, omit "Section" and insert "(1) Section".
5. Clause 67, after line 26 insert—  

"(2) Section 15 of the **Tobacco Act 1987** is **repealed**".

## NEW CLAUSE

6. Insert the following New Clause to follow clause 67—

**"67A Determination of application**

Section 15U(2A)(b) of the **Tobacco Act 1987** is repealed."

**Amendment circulated by Ms Crozier**

Clause 85, page 30, after line 10 insert—

"(ga) the licensed medically supervised injecting centre within the meaning of the **Drugs, Poisons and Controlled Substances Act 1981**; or".