



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

Nos. 105 and 106

No. 105 — Tuesday, 25 May 2021

- 1 The President took the Chair at 11.35 a.m., 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 the following dates, given the Royal Assent to the following Acts presented to her by the Clerk of the Parliaments:
 - On 11 May 2021 —
 - Industrial Relations Legislation Amendment Act 2021*
 - Workplace Injury Rehabilitation and Compensation Amendment (Arbitration) Act 2021*
 - On 18 May 2021 —
 - Cemeteries and Crematoria Amendment Act 2021*
 - Drugs, Poisons and Controlled Substances Amendment Act 2021.*
- 3 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING TAX) BILL 2021** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Gambling Regulation Act 2003 to increase the rate of wagering and betting tax and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Symes, the Bill was read a first time and, by leave, ordered to be read a second time later this day.
- 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:

 - **Spinal muscular atrophy testing** — substantive question asked by Mr Barton — response from Ms Symes due Thursday, 27 May 2021.
 - **Building cladding expenses** — substantive and supplementary questions asked by Mr Hayes — response from Ms Stitt due Thursday, 27 May 2021.
- 5 **CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08.
- 6 **PETITIONS** —
 - BREAST SCREENING PROGRAM** — Ms Crozier presented a Petition bearing 2,250 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to reverse the cuts to women's health protection services and fully fund the breast screening program so all women, at all times, have access to this essential program.

Ordered to lie on the Table.

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CEASE BILLS STREET DEVELOPMENT IN HAWTHORN — Ms Crozier presented a Petition bearing 181 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to immediately stop the fast-tracked development of over 200 dwellings on Bills Street in Hawthorn and urgently undertake comprehensive consultation with the local community.

Ordered to lie on the Table.

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SAFE ACCESS TO WONTHAGGI SECONDARY COLLEGE — Mr O'Donohue presented a Petition bearing 176 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to fund and build, as a matter of urgency, the necessary infrastructure to ensure students, parents and the broader school community have safe access to the new junior secondary campus at Wonthaggi Secondary College in San Remo, when it opens in 2022.

Ordered to lie on the Table.

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NO LOGGING NEAR RECREATIONAL ROADS AND TRACKS — Dr Ratnam presented a Petition bearing 600 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to cease plans to log coupes near recreational roads and tracks.

Ordered to lie on the Table.

- 7 BAIL AMENDMENT (REDUCING PRE-TRIAL IMPRISONMENT OF WOMEN, ABORIGINAL, AND VULNERABLE PERSONS) BILL 2021** — Dr Ratnam introduced *A Bill for an Act to amend the Bail Act 1977 to simplify the process of granting bail, to make related amendments to that Act 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.

8 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. 6 of 2021 (including Appendices) from the Scrutiny of Acts and Regulations Committee.

Ordered to be published.

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PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — 2019-20 FINANCIAL AND PERFORMANCE OUTCOMES — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Ms Taylor presented a Report on the 2019-20 financial and performance outcomes (including Extracts of Proceedings) from the Public Accounts and Estimates Committee, and further presented Transcripts of Evidence.

Ordered that the Transcripts of Evidence lie on the Table and the Report be published.

Ms Taylor moved, That the Council take note of the Report.

Debate ensued.

Question — put and agreed to.

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REPORT TO PARLIAMENT ON THE STATE OF EMERGENCY — Pursuant to section 198(8B)(b) of the *Public Health and Wellbeing Act 2008* and following the transmission of the report on 12 May 2021, the Clerk laid on the Table a copy of the 14th Report to Parliament on Extension of the Declaration of the the State of Emergency.

OMBUDSMAN — INVESTIGATION INTO HOW LOCAL COUNCILS RESPOND TO RATEPAYERS IN FINANCIAL HARDSHIP — Pursuant to section 25AA(4)(c) of the *Ombudsman Act 1973* and following the transmission of the report on 17 May 2021, the Clerk laid on the Table a copy of the Ombudsman's Report on the Investigation into how local councils respond to ratepayers in financial hardship, May 2021.

BUDGET PAPERS, 2021-22 — Pursuant to section 27E of the *Financial Management Act 1994*, the Clerk laid on the Table a copy of the 2021-22 —

- (a) Budget Paper No. 2 – Strategy and Outlook;
- (b) Budget Paper No. 3 – Service Delivery; and
- (c) Budget Paper No. 5 – Statement of Finances (incorporating Quarterly Financial Report No. 3).

Ms Symes moved, by leave, That there be laid before this House a copy of the 2021-22 —

- (a) Budget Paper No. 1 – Treasurer’s Speech;
- (b) Budget Paper No. 4 – State Capital Program;
- (c) Budget Overview;
- (d) Budget Information Paper – Rural and Regional;
- (e) Budget Information Paper – Suburban; and
- (f) Budget Information Paper – Gender Equality Budget Statement.

Question — put and agreed to.

The papers were presented by Ms Symes and ordered to lie on the Table.

On the motion of Ms Symes, the Budget Papers, 2021-22 were ordered to be taken into consideration on the next day of meeting.

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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:

Central Highlands Rural Health — Report, 2019-20, together with an explanation for the delay.

Crown Land (Reserves) Act 1978 — Order of 13 April 2021 giving approval to the granting of a licence at Gresswell Forest (Part B) Nature Conservation Reserve.

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

- Ballarat Planning Scheme — Amendment C229.
- Banyule Planning Scheme — Amendment C161.
- Benalla Planning Scheme — Amendment C39.
- Buloke Planning Scheme — Amendment C42.
- Cardinia Planning Scheme — Amendment C269.
- Casey Planning Scheme — Amendments C207 (Part 1) and C231.
- Colac Otway Planning Scheme — Amendment C99.
- East Gippsland Planning Scheme — Amendment C151.
- Glen Eira Planning Scheme — Amendment C217.
- Golden Plains Planning Scheme — Amendments C93 and C95.
- Greater Bendigo Planning Scheme — Amendment C265.
- Greater Geelong Planning Scheme — Amendments C393, C395, C410 and C430.
- Greater Shepparton Planning Scheme — Amendment C230.
- Hobsons Bay Planning Scheme — Amendment C130.
- Kingston Planning Scheme — Amendment C180.
- Loddon Planning Scheme — Amendment C42.
- Manningham Planning Scheme — Amendment C130.
- Melbourne Planning Scheme — Amendment C406.
- Mitchell Planning Scheme — Amendment C139.
- Monash Planning Scheme — Amendment C164.
- Mount Alexander Planning Scheme — Amendment C95.
- Nillumbik Planning Scheme — Amendment C134.
- Port Phillip Planning Scheme — Amendment C175.
- Pyrenees Planning Scheme — Amendment C48.
- Strathbogie Planning Scheme — Amendment C82.
- Victoria Planning Provisions — Amendment VC198.
- Wangaratta Planning Scheme — Amendment C77.
- Wodonga Planning Scheme — Amendment C132.
- Yarra Planning Scheme — Amendment C223.

State Owned Enterprises Act 1992 — Constitution of Breakthrough Victoria Pty Ltd, under section 75(a) of the Act.

Statutory Rules under the following Acts of Parliament —

Forests Act 1958 — No. 44.

Petroleum Act 1998 — No. 45.

Public Health and Wellbeing Act 2008 — No. 43.

Surveillance Devices Act 1999 — No. 42.

Transport Accident Act 1986 — No. 46.

Subordinate Legislation Act 1994 —

Documents under section 15 in respect of Statutory Rule Nos. 42, 43 and 46.

Legislative instruments and related documents under section 16B in respect of —

Minister's Order of 27 April 2021 declaring certain public land and water to be the Great Ocean Road coast and parks, under the Great Ocean Road and Environs Protection Act 2020.

Ministerial Order No. 1324 – Amending Ministerial Order No. 870 – Child Safe Standards – Managing the Risk of Abuse in Schools of 29 April 2021, under the Education and Training Reform Act 2006.

Ministerial Order No. 1325 – Amending Ministerial Order No. 706 – Anaphylaxis Management in Victorian Schools of 29 April 2021, under the Education and Training Reform Act 2006.

Secretary Approval: Pharmacist Immuniser — SARS-CoV-2 (COVID-19) Vaccine of 3 May 2021, under the Drugs, Poisons and Controlled Substances Act 1981.

Wildlife Act 1975 —

Wildlife (Prohibition of Game Hunting) Notice No. 2 (*Gazette No. G18, 6 May 2021*).

Wildlife (Prohibition of Game Hunting) Notice No. 3 (*Gazette No. S239, 21 May 2021*).

9 PRODUCTION OF DOCUMENTS — REVIEW OF DISCRIMINATION, SEXUAL HARASSMENT AND VICTIMISATION IN THE COUNTRY FIRE AUTHORITY AND METROPOLITAN FIRE BRIGADE

— The Clerk laid on the Table a letter from the Attorney-General, dated 19 May 2021, in response to the Resolution of the Council of 5 May 2021 (on the motion of Ms Lovell), relating to the Review of discrimination, sexual harassment and victimisation in the Country Fire Authority and Metropolitan Fire Brigade, advising that the Government does not hold a copy of the Review and that the Victorian Equal Opportunity and Human Rights Commission have advised that it cannot provide a copy of the Review to the Government due to Orders made by the Court of Appeal on 4 October 2018 in *UFU v VEOHRC* [2018] VSCA 252.

10 BUSINESS OF THE COUNCIL — Ms Maxwell moved, by leave, That precedence be given to the following General Business on Wednesday, 26 May 2021 —

- (1) Order of the Day No. 3, second reading of the Children, Youth and Families (Raise the Age) Amendment Bill 2021;
- (2) the notice of motion given this day by Ms Maxwell on victims of crime assistance;
- (3) the notice of motion given this day by Ms Maxwell on child pornography and child exploitation;
- (4) Notice of Motion No. 557 standing in the name of Dr Cumming on complementary therapies;
- (5) the notice of motion given this day by Dr Cumming on changes to the recording of life events by Births, Deaths and Marriages;
- (6) Notice of Motion No. 542 standing in the name of Mr Davis calling for the production of documents relating to Victoria working with Beijing on infrastructure projects through public-private partnerships;
- (7) Order of the Day No. 50, resumption of debate on the motion calling for the production of documents relating to advice received by the Minister for Transport Infrastructure on CRRC Changchun Railway Vehicles Company Limited; and
- (8) the notice of motion given this day by Ms Patten acknowledging 'National Sorry Day'.

Question — put and agreed to.

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

12 ZERO AND LOW EMISSION VEHICLE DISTANCE-BASED CHARGE BILL 2021 — Debate resumed on the question, That the Bill be now read a second time.

Amendments and Suggested Amendments proposed to be moved in Committee by Dr Ratnam were circulated.

Question — put.

The Council divided — The President in the Chair.

AYES, 19

Mr Barton; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

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

NOES, 14

Dr Bach; Ms Bath; Mr Bourman; Dr Cumming; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Dr Ratnam; Mr Rich-Phillips.

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

Question agreed to.

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

House in Committee.

Business having been interrupted at 6.30 p.m. pursuant to Sessional Order 1 —

On the motion of Ms Taylor, the meal break scheduled for this day, pursuant to Sessional Order 1, was suspended.

Bill further considered in Committee of the whole.

Bill reported without amendment, the Report was adopted.

Ms Symes moved, That the Bill be now read a third time.

Question — That the Bill be now read a third time and do pass — put.

The Council divided — The President in the Chair.

AYES, 19

Mr Barton; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

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

NOES, 14

Dr Bach; Ms Bath; Mr Bourman; Dr Cumming; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Dr Ratnam; Mr Rich-Phillips.

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

Question agreed to.

Bill read a third time.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

13 GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING TAX) BILL 2021 — Ms Stitt 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 Stitt, the second reading speech was incorporated into Hansard.

Ms Stitt 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.

14 ADJOURNMENT — Ms Stitt 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 8.23 p.m., adjourned until tomorrow.

ANDREW YOUNG

Clerk of the Legislative Council

No. 106 — Wednesday, 26 May 2021

1 The President took the Chair at 9.34 a.m., read the Prayer and made an Acknowledgement of Country.

2 PETITIONS —

AMEND THE 2021 DUCK SEASON — Mr Bourman presented a Petition bearing 1,793 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Minister for Agriculture to amend the 2021 duck season to be extended for a full season of 87 days with a full bag of ten birds per day.

Ordered to lie on the Table.

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BREAST SCREENING PROGRAM — Ms Crozier presented a Petition bearing 644 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to reverse the cuts to women's health protection services and fully fund the breast screening program so all women, at all times, have access to this essential program.

Ordered to lie on the Table.

3 PAPERS —

VICTORIAN HEALTH BUILDING AUTHORITY NEW FOOTSCRAY HOSPITAL PROJECT — PROJECT SUMMARY, MAY 2021 — Ms Symes moved, by leave, That there be laid before this House a copy of the Victorian Health Building Authority's New Footscray Hospital Project — Project Summary, May 2021.

Question — put and agreed to.

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

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YORTA YORTA TRADITIONAL OWNER LAND MANAGEMENT BOARD, REPORT 2017-18 — Mr Leane moved, by leave, That there be laid before this House a copy of the Yorta Yorta Traditional Owner Land Management Board Report, 2017-18.

Question — put and agreed to.

The Report was presented by Mr Leane and ordered to lie on the Table.

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

Auditor-General's Report on Measuring and Reporting on Service Delivery, May 2021 (*Ordered to be published*).

Lower Murray Urban and Rural Water Corporation — Report, 2019-20 (*in lieu of that tabled on 10 December 2020*).

Yorta Yorta Traditional Owner Land Management Board — Minister's report of receipt of the 2017-18 report, together with an explanation for the delay.

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PROCLAMATION — A Proclamation of the Governor in Council fixing an operative date in respect of the following Act was laid on the Table by the Clerk:

Public Health and Wellbeing Amendment Act 2021 — Whole Act — 1 July 2021 (*Gazette No. S243, 25 May 2021*).

4 SITTING OF THE COUNCIL — Ms Symes moved, That the Council, at its rising, adjourn until Tuesday, 8 June 2021.

Question — put and agreed to.

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

6 CHILDREN, YOUTH AND FAMILIES (RAISE THE AGE) AMENDMENT BILL 2021 — 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 Taylor, the debate was adjourned for two weeks.

7 VICTIMS OF CRIME — Ms Maxwell moved, That this House notes —

- (1) the extensive and long lasting physical, psychological and financial impacts frequently experienced by victims of crime;
 - (2) the importance of a comprehensive, well-structured and easily accessible system of state assistance for victims of crime that encompasses forms of support and care, including counselling, that are particularly responsive to victims' individual needs and priorities;
 - (3) the urgent need to substantially revamp assistance to victims of crime in Victoria which has been identified on many occasions, including in the Victorian Law Reform Commission's 2018 report on the *Review of the Victims of Crime Assistance Act 1996*, and as part of other formal government review processes dating back to 2009;
 - (4) the imperative for new, simplified victims of crime award categories in the *Victims of Crime Assistance Act 1996*, that better define who should receive assistance and in what forms;
 - (5) the complementary need for enhanced, specialised child focused services that will lead to better healing and recovery for children and young people who are victims of crime;
- and calls on the Government to expedite its response to the Victorian Law Reform Commission's Review, especially in relation to the implementation of the critically important recommendations under Chapter 13 of the Review on restructured forms of assistance.

Debate ensued.

Question — put and agreed to.

8 BUSINESS POSTPONED — Ordered — That the consideration of Notice of Motion, General Business, No. 568, be postponed until later this day.

9 COMPLEMENTARY THERAPIES — Dr Cumming moved, That this House —

- (1) recognises the increasing financial burden on the Victorian health system from preventable illnesses and the COVID-19 pandemic;
- (2) notes that complementary therapies —
 - (a) demonstrate effectiveness in areas of burden to the health system;
 - (b) is a sector worth \$9 billion that supports domestic jobs, farming, manufacturing, research and exports;
 - (c) are often cost effective and less invasive;
- (3) further notes that all levels of Government have a role in —
 - (a) acknowledging and meeting user demands with safe and reliable choices;
 - (b) ensuring key health policies address complementary therapies;
 - (c) ensuring that all health practitioners are appropriately trained and registered;
 - (d) providing up to date and accurate information to consumers about their choices for different types of products and treatments;
 - (e) rigorously reviewing and evaluating the safety of new products and treatments and their benefits;
- (4) calls on the Department of Health to provide —
 - (a) strong and up-to-date advice for consumers regarding effectiveness and safety of complementary therapies; and
 - (b) fact sheets on complementary therapies, including indigenous medicine, to improve public awareness.

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

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

MEDICALLY SUPERVISED INJECTING CENTRE IN CITY OF MELBOURNE — Mr Leane having given an answer to a supplementary question relating to a medically supervised injecting centre in the City of Melbourne —

On the motion of Ms Crozier, the Minister's answer was ordered to be taken into consideration on the next day of meeting.

QUESTIONS — Questions without notice and Ministers' Statements continued and 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:

- **Hotel quarantine program costs** — substantive and supplementary questions asked by Mr Quilty — response from Ms Symes due Friday, 28 May 2021.
- **Pink eared ducks** — substantive and supplementary questions asked by Mr Meddick — response from Ms Tierney due Friday, 28 May 2021.

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

12 COMPLEMENTARY THERAPIES — Debate continued on the question, That this House —

- (1) recognises the increasing financial burden on the Victorian health system from preventable illnesses and the COVID-19 pandemic;
- (2) notes that complementary therapies —
 - (a) demonstrate effectiveness in areas of burden to the health system;
 - (b) is a sector worth \$9 billion that supports domestic jobs, farming, manufacturing, research and exports;
 - (c) are often cost effective and less invasive;
- (3) further notes that all levels of Government have a role in —
 - (a) acknowledging and meeting user demands with safe and reliable choices;
 - (b) ensuring key health policies address complementary therapies;
 - (c) ensuring that all health practitioners are appropriately trained and registered;
 - (d) providing up to date and accurate information to consumers about their choices for different types of products and treatments;
 - (e) rigorously reviewing and evaluating the safety of new products and treatments and their benefits;
- (4) calls on the Department of Health to provide —
 - (a) strong and up-to-date advice for consumers regarding effectiveness and safety of complementary therapies; and
 - (b) fact sheets on complementary therapies, including indigenous medicine, to improve public awareness.

Question — put and agreed to.

13 BIRTHS, DEATHS AND MARRIAGES VICTORIA — Dr Cumming moved, That this House —

- (1) recognises that —
 - (a) the life events recorded by Births, Deaths and Marriages Victoria relate to some of the most significant moments of a Victorian's life;
 - (b) life events are central to each person's identity;
 - (c) language and terminology used on government forms can have a lasting impact on individuals;
- (2) notes that while there have been progressive updates to how life events are recorded in Victoria, there are still significant areas where legislation, regulation or practices could better reflect modern family structures and how an individual would like their birth, death or relationship recognised;
- (3) calls on the Government to consider —
 - (a) broadening the scope of terms that can be used to describe the relationship status of a deceased person and their partner on their death certificate;

- (b) reviewing the *Status of Children Act 1974* to enable multiple parents to be recorded on their child's birth certificate, including a provision to acknowledge a sperm or egg donor and their parental roles;
- (c) examining potential changes to the language used for people who are divorced, to ensure their personal preferences are best accommodated;
- (4) calls on the Government to ensure that —
 - (a) language used by Births, Deaths and Marriages Victoria offers Victorians a choice on how they wish to recognise their life events; and
 - (b) the changes provide certainty that family structures will be formally recognised in government documents.

Debate ensued.

Question — put and agreed to.

- 14 PRODUCTION OF DOCUMENTS — MEMORANDUM OF UNDERSTANDING WITH CHINA'S NATIONAL DEVELOPMENT AND REFORM COMMISSION** — Mr Davis moved, That this House, in accordance with Standing Order 11.01, requires the Leader of the Government to table in the Council, within 14 calendar days of the House agreeing to this resolution, the memorandum of understanding with China's National Development and Reform Commission, signed by the Victorian Government in March 2017, committing Victoria to working with Beijing on infrastructure projects through public-private partnerships.

Debate ensued.

Question — put and agreed to.

- 15 PRODUCTION OF DOCUMENTS — CRRC CHANGCHUN RAILWAY VEHICLES COMPANY LIMITED** — Debate resumed on the question, That this House —

- (1) notes that —
 - (a) part of the Evolution Rail consortium awarded the contract to deliver the High Capacity Metro Trains is CRRC Changchun Railway Vehicles Company Limited, linked to the use of Uyghur slave labour;
 - (b) CRRC Changchun Railway Vehicles Company Limited is also part of the Chinese Government's Belt and Road Initiative;
 - (c) more than a million Uyghurs and members of other Turkic Muslim minorities have allegedly disappeared into a vast network of 're-education camps';
 - (d) factories in China are allegedly sourcing Uyghur workers from the 're-education camps' under a government-led labour transfer scheme;
 - (e) the Minister for Transport Infrastructure, the Hon Jacinta Allan MP, confirmed on ABC radio on 5 October 2020, that she was aware of these allegations and has sought advice from the Department of Transport about whether they were true;
 - (f) the Minister for Transport Infrastructure said the advice received from the Department of Transport about these allegations were untrue and the Minister did not indicate that CRRC Changchun Railway Vehicles Company Limited was not using Uyghur slave labour in other contracts and constructions; and
- (2) requires, in accordance with Standing Order 11.01, there to be tabled in the Council, on or before Wednesday, 14 April 2021, any advice received by the Minister for Transport Infrastructure from the Department of Transport, which she referred to in the ABC radio interview on 5 October 2020, relating to allegations that CRRC Changchun Railway Vehicles Company Limited were using Uyghur slave labour in the High Capacity Metro construction.

Mr Davis moved, as an amendment, That in paragraph (2) **omit** the words "on or before Wednesday, 14 April 2021" and **insert** the following in their place "within 14 calendar days of the House agreeing to this resolution".

Debate ensued.

On the motion of Mr Finn, the debate was adjourned until later this day.

- 16 ACKNOWLEDGING 'NATIONAL SORRY DAY'** — Ms Patten moved, That this House —

- (1) acknowledges that Wednesday, 26 May is 'National Sorry Day', where we remember and recognise the Aboriginal and Torres Strait Islander people who were forcibly removed from their families and communities, which we now refer to as 'The Stolen Generations'; and

- (2) urges all Members to reflect on how we can all play a part in the healing process for our First Nations peoples, our nation and for all Stolen Generation survivors.

Debate ensued.

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

- 17 STATEMENTS ON REPORTS, PAPERS AND PETITIONS** — Statements on reports, papers and petitions were made by Members pursuant to Sessional Order 16.
- 18 APPROPRIATION (2021-2022) BILL 2021** — The Acting President read a Message from the Assembly presenting *A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2021/2022 and for other purposes* and requesting the agreement of the Council.
- On the motion of Ms Pulford (for Ms Symes), 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 Finn, the debate was adjourned for one week.
- 19 APPROPRIATION (PARLIAMENT 2021-2022) BILL 2021** — The Acting President read a Message from the Assembly presenting *A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2021/2022 and for other purposes* and requesting the agreement of the Council.
- On the motion of Ms Pulford (for Ms Symes), 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 Finn, the debate was adjourned for one week.
- 20 STATE TAXATION AND MENTAL HEALTH ACTS AMENDMENT BILL 2021** — The Acting President read a Message from the Assembly presenting *A Bill for an Act to amend the Duties Act 2000, the First Home Owner Grant Act 2000, the Land Tax Act 2005, the Mental Health Act 2014 and the Payroll Tax Act 2007 and to make consequential amendments to other Acts and for other purposes* and requesting the agreement of the Council.
- On the motion of Ms Pulford (for Ms Symes), 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 Finn, the debate was adjourned for one week.
- 21 COGNATE DEBATE — APPROPRIATION (2021-2022) BILL 2021 AND BUDGET PAPERS, 2021-22** — Ms Pulford moved, by leave, That this House authorises the President to permit the second reading debate on the Appropriation (2021-2022) Bill 2021 to be taken concurrently with the debate on the motion to take note of the Budget Papers, 2021-22, contingent on such a motion being moved.
- Question — put and agreed to.

22 ADJOURNMENT — Ms Pulford moved, That the House do now adjourn.

Debate ensued and a response to an Adjournment matter was circulated pursuant to Standing Order 4.13.

And then the Council, at 6.01 p.m., adjourned until Tuesday, 8 June 2021.

ANDREW YOUNG
Clerk of the Legislative Council

COMMITTEE OF THE WHOLE COUNCIL

Supplement to Minutes Nos. 105 and 106

ZERO AND LOW EMISSION VEHICLE DISTANCE-BASED CHARGE BILL 2021

Committed Tuesday, 25 May 2021

Amendments and Suggested Amendments circulated: Dr Ratnam (p. 777)

Clause 1 — put and agreed to.

Clause 2 — Dr Ratnam moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 14

Dr Bach; Ms Bath; Mr Bourman; Dr Cumming; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Dr Ratnam; Mr Rich-Phillips.

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

NOES, 19

Mr Barton; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

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

Question negatived.

Clause 2 — put and agreed to.

Clause 3 — Dr Ratnam moved Suggested Amendment No. 2.

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

The Committee divided — The Deputy President in the Chair.

AYES, 3

Dr Cumming; Mr Hayes; Dr Ratnam.

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

NOES, 29

Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Ms Maxwell; Mr Meddick; Mr Melhem; Mr O'Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

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

Question negatived.

Clause 3 — put and agreed to.

Clauses 4 to 6 — put and agreed to.

Clause 7 — no question put pursuant to Standing Order 14.15(2).

Clause 8 — Dr Ratnam moved Suggested Amendment Nos. 3 and 4.

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

The Committee divided — The Deputy President in the Chair.

AYES, 14

Dr Bach; Ms Bath; Mr Bourman; Dr Cumming; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Dr Ratnam; Mr Rich-Phillips.

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

NOES, 19

Mr Barton; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

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

Question negatived.

Clauses 8 and 9 — no question put pursuant to Standing Order 14.15(2).

Clauses 10 to 76 — put and agreed to.

Clause 77 — no question put pursuant to Standing Order 14.15(2).

Clauses 78 to 81 — put and agreed to.

Bill reported without amendment.

AMENDMENTS CIRCULATED IN RELATION TO —**1. ZERO AND LOW EMISSION VEHICLE DISTANCE-BASED CHARGE BILL 2021***Amendments and Suggested Amendments circulated by Dr Ratnam*

1. Clause 2, line 7, omit "2021" and insert "2025".
2. **Suggested amendment to the Legislative Assembly -**
Clause 3, after line 27 insert—

"(aa) a motor vehicle in respect of which the luxury car tax under the A New Tax System (Luxury Car Tax) Act 1999 of the Commonwealth has never been payable; or".
3. **Suggested amendment to the Legislative Assembly -**
Clause 8, line 14, omit "2.5" and insert "0.0".
4. **Suggested amendment to the Legislative Assembly -**
Clause 8, line 16, omit "2.0" and insert "0.0".
5. Clause 81, line 20, omit "2022" and insert "2026".

