



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 62 — Thursday, 4 June 2020

Proof Version

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- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PAPERS —**
ECONOMY AND INFRASTRUCTURE COMMITTEE — GOVERNMENT RESPONSE TO THE INQUIRY INTO THE IMPACT OF ANIMAL RIGHTS ACTIVISM ON VICTORIAN AGRICULTURE — Pursuant to Standing Order 23.30, Ms Symes laid on the Table a copy of the Government Response to the Economy and Infrastructure Committee's Inquiry into the impact of animal rights activism on Victorian agriculture.
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- PAPER PURSUANT TO STATUTE** — The following Paper, pursuant to a direction of an Act of Parliament, was laid on the Table by the Clerk:
Freedom of Information Act 1982 — Pursuant to section 65AB(2)(b) of the Act, a Statement of Reasons for Monash University seeking leave under section 148 of the Victorian Civil and Administrative Tribunal Act 1998 to appeal on a question of law.
- 3 **SITTING OF THE COUNCIL** — Ms Symes moved, That the Council, at its rising, adjourn until Tuesday, 16 June 2020.
Question — put and agreed to.
- 4 **MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13.
- 5 **BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 207 to 276, be postponed until later this day.
- 6 **CRIMES AMENDMENT (MANSLAUGHTER AND RELATED OFFENCES) BILL 2020** —
Debate resumed on the question, That the Bill be now read a second time.
Amendments proposed to be moved in Committee by Ms Maxwell were circulated.
Question — put and agreed to.
Bill read a second time and committed to a Committee of the whole.
House in Committee.
Bill reported without amendment, the Report was adopted, 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.
- 7 **GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019** — Debate resumed on the question, That the Bill be now read a second time.

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.

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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:

- **Former Footscray Psychiatric Hospital** — substantive and supplementary questions asked by Dr Cumming — response from Ms Symes due Tuesday, 9 June 2020.
- **Supporting registered commercial passenger vehicles during pandemic** — substantive question asked by Mr Barton — response from Ms Symes due Tuesday, 9 June 2020.

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

- 10 GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019** — Debate continued on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Meddick, Mr Grimley and Ms Pulford were circulated.

Dr Ratnam moved, as a reasoned amendment, That all the words after "That" be omitted and replaced with the words "this Bill be withdrawn and redrafted to ensure that the Great Ocean Road Coast and Parks Authority does not take over responsibility for managing National Parks in the Great Ocean Road region."

Debate ensued.

Question — That the reasoned amendment moved by Dr Ratnam be agreed to — put.

The Council divided — The President in the Chair.

AYES, 3

Mr Atkinson; Mr Hayes; Dr Ratnam.

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

NOES, 35

Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; 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; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney.

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

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 with amendments, the Report was adopted.

Ms Pulford 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 Grimley; Dr Kieu; Mr Leane; Mr Limbrick; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Mr Quilty; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

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

NOES, 13

Mr Atkinson; Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Hayes; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; 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 with amendments and requesting their agreement.

11 ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2020 — Debate resumed on the question, That the Bill be now read a second time.

Question — put and agreed to.

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

House in Committee.

Bill reported without amendment, the Report was adopted, and the Bill was read a third time and passed.

Pursuant to the temporary order of the Council of 23 April 2020, the President, being satisfied that only one Member or minor party was voting against the third reading, Mr Bourman's dissent was recorded.

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

12 RETAIL LEASES AMENDMENT BILL 2019 — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Building Act 1993 and the Retail Leases Act 2003 in relation to the obligations of landlords and tenants under retail premises leases in respect of essential safety measures and various other matters and for other purposes* and requesting the agreement of the Council.

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

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

Ms Tierney 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.

13 PETROLEUM LEGISLATION AMENDMENT BILL 2020 — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Petroleum Act 1998 and the Offshore Petroleum and Greenhouse Gas Storage Act 2010 and for other purposes* and requesting the agreement of the Council.

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

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

Ms Tierney 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.

14 WAGE THEFT BILL 2020 — The President read a Message from the Assembly presenting *A Bill for an Act to create offences relating to the theft of employee entitlements and the keeping of records relating to employee entitlements, to establish the Wage Inspectorate Victoria and for other purposes* and requesting the agreement of the Council.

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

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

Ms Tierney 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.

15 ADJOURNMENT — Ms Tierney moved, That the House do now adjourn.

Debate ensued and responses to certain Adjournment matters were circulated pursuant to Standing Order 4.13.

And then the Council, at 6.32 p.m., adjourned until Tuesday, 16 June 2020.

ANDREW YOUNG
Clerk of the Legislative Council