



LEGISLATIVE COUNCIL
MINUTES OF THE PROCEEDINGS
No. 59 — Tuesday, 19 March 2024

Proof Version

1 The President took the Chair at 12.03 pm, read the Prayer and made an Acknowledgement of Country.

2 THE LATE HONOURABLE DIGBY GLEN CROZIER — Georgie Crozier moved, That this House expresses its sincere sorrow at the death, on 26 February 2024, of the Honourable Digby Glen Crozier, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Council for the Electoral Province of Western from 1973 to 1985 and member of the Legislative Assembly for the Electoral District of Portland from 1985 to 1988, and as Minister for Tourism, and Minister for State Development and of Decentralisation from 1976 to 1978, Minister for State Development, Decentralisation and Tourism from 1978 to 1979, Minister for Local Government from 1979 to 1981 and Minister of Mines, and Minister for Minerals and Energy from 1981 to 1982.

Other members addressed the House.

Members rose in their places for one minute's silence as a mark of respect and the question was agreed to unanimously.

As a further mark of respect, the sitting was suspended for one hour.

[Sitting suspended from 12.31 pm to 1.33 pm]

3 ASSENT TO ACTS — The President read a Message from the Governor informing the Council that she had, on 13 March 2024, given the Royal Assent to the following Acts presented to her by the Deputy Clerk of the Legislative Council:

Education and Training Reform Amendment (Early Childhood Employment Powers) Act 2024

Workplace Injury Rehabilitation and Compensation Amendment (WorkCover Scheme Modernisation) Act 2024.

4 QUESTION TIME —

QUESTIONS WITHOUT NOTICE AND MINISTERS' STATEMENTS — Members asked questions without notice and ministers made statements.

QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed a minister to provide a written response to questions without notice pursuant to Standing Order 8.07 as follows:

- **Use of medicinal cannabis for endometriosis pain management (QwN 464)** — substantive and supplementary questions asked by Rachel Payne — response from Ingrid Stitt due Thursday, 21 March 2024.

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CONSTITUENCY QUESTIONS — Members asked constituency questions.

5 PAPERS —

PAPER PRESENTED BY ORDER OF THE COUNCIL — Harriet Shing, by leave, presented the Homes Victoria's Project Summary Ground Lease Model — South Yarra, Prahran, Hampton East and Port Melbourne (*Ordered to be tabled*).

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COMMITTEE REPORT — SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Sonja Terpstra tabled Alert Digest No. 4 of 2024 (including Appendices) from the Scrutiny of Acts and Regulations Committee (*Ordered to be published*).

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PAPERS PRESENTED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following papers:

Financial Management Act 1994 — 2023-24 Mid-Year Financial Report (incorporating Quarterly Financial Report No. 2), March 2024 (*Ordered to be published*) (*released on 8 March 2024 – a non-sitting day*).

Interpretation of Legislation Act 1984 — Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 5 (*Gazette S122, 14 March 2024*).

Murray-Darling Basin Authority — Report, 2022-23.

Parliamentary Budget Office — Operational Plan 2024-25: Priorities and protocols.

Planning and Environment Act 1987 — Notices of approval of the —

Bass Coast Planning Scheme — Amendment C164.

Kingston Planning Scheme — Amendment C206.

Latrobe Planning Scheme — Amendment C147.

Queenscliffe Planning Scheme — Amendment C39.

Stonnington Planning Scheme — Amendments C332 and C337.

Victoria Planning Provisions — Amendment VC256.

Wyndham Planning Scheme — Amendment C268.

Yarra Planning Scheme — Amendment C323.

Subordinate Legislation Act 1994 — Legislative Instruments and related documents under section 16B in respect of Waterways Protection Model By-Law 2024 under section 287ZB of the Water Act 1989.

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PAPERS PRESENTED UNDER STANDING ORDERS — The Clerk tabled the following papers:

Response from the Minister for Economic Growth to petition titled Stop the Hydrogen Energy Supply Chain project (Petition No. 517) (presented by Sarah Mansfield on 1 November 2023) (*released on 15 March 2024 – a non-sitting day*).

Response from the Minister for Economic Growth to petition titled Stop the Hydrogen Energy Supply Chain project (Petition No. 491) (presented by Sarah Mansfield on 6 February 2024) (*released on 15 March 2024 — a non-sitting day*).

Response from the Minister for Housing to petition titled Stop the demolition of the Barak Beacon public housing estate to save \$88 million (presented by Katherine Copsey on 3 October 2023) (Petition No. 470.1).

Response from the Treasurer to petition titled Stop introduction of payroll tax on contractors including doctors (Petition No. 508) (presented by Georgie Crozier on 6 February 2024) (*released on 18 March 2024 — a non-sitting day*).

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PROCLAMATION — The Clerk tabled a proclamation of the Governor in Council fixing an operative date for the following Act:

Disability and Social Services Regulation Amendment Act 2023 — Subdivision 3 of Division 2 of Part 2 and sections 265 and 266 — 27 March 2024 (*Gazette S118, 13 March 2024*).

6 PRODUCTION OF DOCUMENTS — VICTORIA'S BUS NETWORK PLAN REVIEW — The Clerk tabled a letter from the Attorney-General, dated 15 March 2024, in response to a resolution of the Council on 6 March 2024 (on the motion of Trung Luu), relating to Victoria's Bus Network Plan Review, advising that there was insufficient time to respond and that a final response to the Order would be provided as soon as possible.

7 BUSINESS OF THE COUNCIL — Samantha Ratnam moved, by leave, That the following general business take precedence on Wednesday, 20 March 2024 —

- (1) notice of motion given this day by Georgie Purcell on wildlife rescue;
- (2) notice of motion No. 340, in an amended form, standing in Samantha Ratnam's name referring matters relating to public housing to the Legal and Social Issues Committee;
- (3) order of the day No. 8, resumption of debate on the second reading of the Human Rights and Housing Legislation Amendment (Ending Homelessness) Bill 2023;
- (4) notice of motion No. 339, standing in David Davis' name relating to overdue production of documents orders;
- (5) notice of motion given this day by Georgie Crozier on budget management; and
- (6) notice of motion No. 268, standing in Trung Luu's name on new rail lines to Melton and Wyndham Vale.

Question — put and agreed to.

8 MEMBERS' STATEMENTS — Members made statements.

9 BUSINESS POSTPONED — Ordered — That the consideration of notices of motion, government business, Nos. 221 to 325, be postponed until later this day.

10 CONSTITUTION AMENDMENT (SEC) BILL 2023 — STATE ELECTRICITY COMMISSION AMENDMENT BILL 2023 — The concurrent debate commenced on the questions, That these Bills be now read a second time.

Evan Mulholland (for David Davis) (*DD129C*) and Sarah Mansfield (*SMA13C and SMA14C*) circulated amendments to the Constitution Amendment (SEC) Bill 2023 proposed to be moved during Committee of the whole.

Richard Welch moved a reasoned amendment to the question, That the State Electricity Commission Amendment Bill 2023 be now read a second time, That all the words after “That” be omitted and replaced with the words “the Bill be withdrawn and not reintroduced until the Government includes annual reporting on property, rights and liabilities of the former SEC into the Bill that requires the Treasurer to ensure that every report of operations and financial statements of the Department of Treasury and Finance under Part 7 of the *Financial Management Act 1994* separately accounts for the property, rights and liabilities of the former SEC that became property, rights and liabilities of the State under that Part of the Act.”.

Debate ensued.

The concurrent debate having concluded —

- 11 CONSTITUTION AMENDMENT (SEC) BILL 2023** — On the motion of Lee Tarlamis, debate on the question, That the Bill be now read a second time, was adjourned until the next day of meeting.

- 12 STATE ELECTRICITY COMMISSION AMENDMENT BILL 2023** — Question — That the reasoned amendment moved by Richard Welch be agreed to — put.

The Council divided — The President in the Chair.

AYES, 15

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Richard Welch.

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

NOES, 22

Ryan Batchelor; John Berger; Lizzie Blandthorn; Jeff Bourman; Katherine Copsey; David Ettershank; Enver Erdogan; Jacinta Ermacora; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

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

Question negated.

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

The Council divided — The President in the Chair.

AYES, 23

Ryan Batchelor; John Berger; Lizzie Blandthorn; Jeff Bourman; Katherine Copsey; David Ettershank; Enver Erdogan; Jacinta Ermacora; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Samantha Ratnam; Harriet Shing; Adem Somyurek; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt.

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NOES, 15

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Richard Welch.

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

Question agreed to.

Bill read a second time and, by leave, read a third time and passed.

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

13 CLIMATE CHANGE AND ENERGY LEGISLATION AMENDMENT (RENEWABLE ENERGY AND STORAGE TARGETS) BILL 2023 — The President read a Message from the Assembly informing the Council that they have agreed to the amendment made by the Council in this Bill.

14 ADJOURNMENT — Gayle Tierney moved, That the House do now adjourn.

Debate ensued.

The Council adjourned at 6.57 pm until tomorrow.

ROBERT McDONALD
Clerk of the Legislative Council