



LEGISLATIVE COUNCIL
MINUTES OF THE PROCEEDINGS
No. 62 — Thursday, 18 April 2024

Proof Version

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- 1 The Council met in Echuca pursuant to the Proclamation of the Governor on 9 April 2024, and to the terms of the Resolution of the Legislative Council on 21 March 2024. The President took the Chair at 9.31 am, read the Prayer and made an Acknowledgement of Country.
 - 2 **PROCLAMATION** — The Clerk read the Proclamation of the Governor varying and altering the place for holding the First Session of the Sixtieth Parliament as follows:

CONSTITUTION ACT 1975

PROCLAMATION

- I, Margaret Gardner, Governor of Victoria, acting under section 8 of the **Constitution Act 1975** and all other powers vested in me:
- (i) vary and alter the place for the despatch of business of the Legislative Council on 18 April 2024 and fix the Echuca Library, Echuca, situated at 310 Hare Street, Echuca, as the place for the despatch of business of the Legislative Council on 18 April 2024 until the completion of business agreed to occur at the Echuca Library, by the resolution of the Legislative Council on 21 March 2024; and
 - (ii) confirm that once the Legislative Council has completed the business agreed to occur at the Echuca Library by the resolution of the Legislative Council on 21 March 2024, the despatch of business of the Legislative Council shall thereafter revert to Parliament House, Melbourne.

Given under my hand and the seal of Victoria at Melbourne, this 9th day of April 2024.

(L.S.)

MARGARET GARDNER
Professor the Honourable
Margaret Gardner AC
Governor
By Her Excellency's Command
JACINTA ALLAN
Premier of Victoria

3 ADDRESS BY TARA ATLEY — The President invited Tara Atley to attend on the floor of the Chamber and address the House. Accordingly, Tara Atley was escorted into the Chamber by the Usher of the Black Rod and addressed the House.

4 ADDRESS BY CAMERON BARNES — The President invited Cameron Barnes to attend on the floor of the Chamber and address the House. Accordingly, Cameron Barnes was escorted into the Chamber by the Usher of the Black Rod and addressed the House.

5 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 26 March 2024 —

Climate Change and Energy Legislation Amendment (Renewable Energy and Storage Targets) Act 2024

Firearms and Control of Weapons (Machetes) Amendment Act 2024

State Electricity Commission Amendment Act 2024.

On 9 April 2024 —

Private Security and County Court Amendment Act 2024.

6 PETITIONS —

BUILD A SECONDARY SCHOOL IN HEATHCOTE — Gaelle Broad presented a petition bearing 313 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to conduct a feasibility study on building a state run secondary school in Heathcote and, should it be feasible, begin the process of having a secondary school built (*Ordered to be tabled*).

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UPGRADE THE DAYLESFORD SPEEDWAY — Wendy Lovell presented a petition bearing 74 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to upgrade Daylesford Speedway and install a safety wall, fencing, drainage, mobile tower and solar farm (*Ordered to be tabled*).

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

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REJECT PROPOSAL TO CONSTRUCT A WASTE-TO-ENERGY PLANT IN LARA, GEELONG — Sarah Mansfield presented a petition bearing 1,107 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to not impose an oversized, unsafe and unnecessary waste incinerator in the region and reject

planning permit PA2001035 and development licence APP1004200
(*Ordered to be tabled*).

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PERMANENT ACCESSIBLE TRAM STOPS ON SYDNEY ROAD — Samantha Ratnam presented a petition bearing 2,407 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to make the tram stops on Sydney Road in Brunswick and Coburg permanent and accessible before construction on the Upfield train line starts to guarantee the safety of transport users and not waste taxpayers' money with temporary stops (*Ordered to be tabled*).

The petition having received the required number of signatures, Samantha Ratnam listed the petition for future debate during Petitions (qualifying for debate).

7 PAPERS —

COMMITTEE REPORT — ENVIRONMENT AND PLANNING COMMITTEE — Pursuant to Standing Order 23.22, Ryan Batchelor tabled an Interim Report on the Inquiry into the 2022 flood event in Victoria (including an Appendix) from the Environment and Planning Committee.

Ryan Batchelor moved, That the Council take note of the Report.

Debate ensued.

Question — put and agreed to.

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

Border Groundwaters Agreement Review Committee — Report, 2022-23.

Crown Land (Reserves) Act 1978 —

Orders of 27 March 2024 giving approval to the granting of a lease and a licence at Albert Park.

Order of 12 March 2024 giving approval to the granting of a licence at Spencer and Dryburgh Street Reserve and Miller Street West Melbourne Reserve.

Orders of 12 March 2024 giving approval to the granting of a lease and a licence at Point Leo Foreshore and Public Park Reserve.

Order of 8 April 2024 giving approval to the granting of a licence at The Pines Flora and Fauna Reserve.

Ombudsman — Reflections on 10 years, March 2024 (*released on 25 March 2024 – a non-sitting day*) (*Ordered to be published*).

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

Alpine, Ballarat, Benalla, Buloke, Campaspe, Central Goldfields, Gannawarra, Greater Bendigo, Greater Shepparton, Hepburn, Indigo, Loddon, Macedon Ranges, Mansfield, Mildura, Mitchell, Moira, Moorabool, Mount Alexander, Murrindindi, Pyrenees, Strathbogie, Swan Hill, Towong, Wangaratta and Wodonga Planning Schemes — Amendment GC222.

Bass Coast Planning Scheme — Amendment C165.

Bayside Planning Scheme — Amendment C201.

Boroondara Planning Scheme — Amendment C409.

Glenelg Planning Scheme — Amendment C109.

Glen Eira Planning Scheme — Amendment C259.

Greater Geelong Planning Scheme — Amendment C467.

- Horsham Planning Scheme — Amendment C81.
- Hume Planning Scheme — Amendment C266.
- Kingston Planning Scheme — Amendment C215.
- Maroondah Planning Scheme — Amendment C156.
- Mornington Peninsula Planning Scheme — Amendment C293.
- Moyne Planning Scheme — Amendment C79.
- Victoria Planning Provisions — Amendments VC259 and VC261.
- Warrnambool Planning Scheme — Amendment C212.
- Whitehorse Planning Scheme — Amendment C230.
- Statutory Rules under the following Acts of Parliament —
 - Child Wellbeing and Safety Act 2005 — No. 16.
 - Children, Youth and Families Act 2005 — No. 20.
 - Land Conservation (Vehicle Control) Act 1972 — No. 19.
 - Social Services Regulation Act 2021 — No. 17.
 - Supported Residential Services (Private Proprietors) Act 2010 — No. 18.
 - Supreme Court Act 1986 — No. 15.
 - Supreme Court Act 1986 — Vexatious Proceedings Act 2014 — No. 14.
 - Victorian Civil and Administrative Tribunal Act 1998 — Guardianship and Administration Act 2019 — No. 13.
- Subordinate Legislation Act 1994 —
 - Documents under section 15 in relation to Statutory Rule Nos. 13, 14, 15, 19, 20, 22, 23 and 25.
 - Legislative Instruments and related documents under section 16B in respect of an Order declaring the dingo to be unprotected wildlife in specified areas of Victoria under the Wildlife Act 1975.
- Wildlife Act 1975 — Notices under section 86 of the Act —
 - Wildlife (Indigenous Game Birds (Quail) Hunting) Notice (*Gazette S155, 2 April 2024*).
 - Wildlife (Prohibition of Game Hunting) Notice No. 2/2024 (*Gazette S162, 7 April 2024*).
 - Wildlife (Closure of Moodie Swamp State Game Reserve and Lake Modewarre Reserve) Notice (*Gazette S177, 12 April 2024*).

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

- Response from the Treasurer to petition titled Gippsland Renewable Energy Zone Project (Petition No. 478) (presented by Melina Bath on 6 February 2024) (*released on 16 April 2024 – a non-sitting day*).
- Response from the Treasurer to petition titled Reject new taxes (Petition No. 485) (presented by David Limbrick on 20 March 2024) (*released on 12 April 2024 – a non-sitting day*).

- 8 PRODUCTION OF DOCUMENTS — ALBURY WODONGA HEALTH** — The Clerk tabled a letter from the Attorney-General, dated 16 April 2024, in response to a resolution of the Council on 6 March 2024 (on the motion of Wendy Lovell), relating to Albury Wodonga Health, advising that there was insufficient time to respond and that a final response to the Order would be provided as soon as possible.

- 9 SITTING OF THE COUNCIL** — Jaclyn Symes moved, That the Council, at its rising, adjourn until Tuesday, 30 April 2024.

Question — put and agreed to.

- 10 COMMITTEE MEMBERSHIP** — Georgie Crozier moved, by leave, That Richard Welch be a participating member of the Legal and Social Issues Standing Committee.

Question — put and agreed to.

- 11 MEMBERS' STATEMENTS** — Members made statements.

- 12 BUSINESS POSTPONED** — Ordered — That the consideration of notices of motion, government business, Nos. 230 to 370, be postponed until later this day.

- 13 OCTOBER 2022 FLOOD EVENT** — Jaclyn Symes (for Harriet Shing) moved, That this House acknowledges the October 2022 flood event and the devastating impact it had on communities in Victoria.

Debate ensued.

Business interrupted at 11.30 am pursuant to an order of the Council on 21 March 2024.

- 14 QUESTION TIME** —

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

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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:

- **Barmah Forest brumby population management (QwN 490)** — substantive and supplementary questions asked by Georgie Purcell — response from Gayle Tierney due Monday, 22 April 2024.

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CONSTITUENCY QUESTIONS — Members asked constituency questions.

- 15 OCTOBER 2022 FLOOD EVENT** — Debate continued on the question, That this House acknowledges the October 2022 flood event and the devastating impact it had on communities in Victoria.

On the motion of Lee Tarlamis, the debate was adjourned until later this day.

- 16 BUSINESS POSTPONED** — Ordered — That the consideration of notice of motion, government business, No. 372, be postponed until later this day.

- 17 STATUTE LAW REVISION BILL 2024** — Debate resumed on the question, That the Bill be now read a second time.

Question — put and agreed to.

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

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

- 18 OCTOBER 2022 FLOOD EVENT** — Debate continued on the question, That this House acknowledges the October 2022 flood event and the devastating impact it had on communities in Victoria.

Question — put and agreed to.

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

Debate ensued.

The Council adjourned at 5.48 pm until Tuesday, 30 April 2024.

ROBERT McDONALD
Clerk of the Legislative Council