



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 166 — Wednesday, 13 May 2026

Proof Version

1 The President took the Chair at 9.33 am, read the Prayer and made an Acknowledgement of Country.

2 **PAPERS —**

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

Auditor-General —

Free TAFE, May 2026 (*Ordered to be published*).

Responses to Performance Engagement Recommendations: Annual Status Update 2026, May 2026 (*Ordered to be published*).

Drugs, Poisons and Controlled Substances Act 1981 — Report, 2025, under section 96 by the Chief Commissioner of Victoria Police.

Interpretation of Legislation Act 1984 — Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 26 (*Gazette G19, 7 May 2026*).

Planning and Environment Act 1987 — Notice of approval of the Victoria Planning Provisions — Amendment VC309.

* * * * *

PAPER PRESENTED UNDER STANDING ORDERS — The Clerk tabled the following paper:

Government response to the Legal and Social Issues Committee's Inquiry into Ambulance Victoria.

3 **PRODUCTION OF DOCUMENTS —**

MONASH UNIVERSITY PRIMATES RESEARCH — The Clerk tabled a letter from the Attorney-General, dated 11 May 2026, in response to a resolution of the Council on 19 March 2026 (on the motion of Georgie Purcell), relating to Monash University primates research, advising that there was insufficient time to respond and that a final response to the Order would be provided as soon as possible.

* * * * *

RENTAL CONTROLS — The Clerk tabled a letter from the Attorney-General, dated 11 May 2026, in response to a resolution of the Council on 1 April 2026 (on the motion of Aiv Puglielli), relating to rental controls, advising that there was insufficient time to respond and that a final response to the Order would be provided as soon as possible.

PHARMACISTS INITIATING SUPPLY OF ORAL CONTRACEPTIVE PILL — In response to a resolution of the Council on 18 March 2026 (on the motion of Georgie Crozier), relating to pharmacists initiating supply of oral contraceptive pill, the Clerk tabled —

- a schedule of one document identified; and
- a letter from the Attorney-General, dated 11 May 2026, making a claim of executive privilege in full in relation to the document outlined in the schedule.

4 MEMBERS' STATEMENTS — Members made statements.

5 PRODUCTION OF DOCUMENTS — SUSTAINABLE DATA CENTRE ACTION PLAN — David Ettershank moved, That this House —

- (1) notes the failure of the Victorian Government to release its Sustainable Data Centre Action Plan; and
- (2) requires the Leader of the Government, in accordance with Standing Order 10.01, to table in the Council, within 30 days of the House agreeing to this resolution, a copy of the Sustainable Data Centre Action Plan.

Debate ensued.

The Acting President advised that the total time allocated for debate, pursuant to Sessional Order 6, had elapsed.

Question — put and agreed to.

6 PRODUCTION OF DOCUMENTS — PUBLIC LOTTERY LICENCE AGREEMENT — Richard Welch (for Bev McArthur) moved, That this House —

- (1) notes that —
 - (a) on 6 May 2026, the Treasurer announced a 40-year extension of Victoria's exclusive Public Lottery Licence to Tattersall's Sweeps Pty Ltd, a subsidiary of The Lottery Corporation, to 30 June 2068;
 - (b) The Lottery Corporation described the contract award process as "exclusive, bilateral negotiations";
 - (c) by contrast, the previous licence was awarded for ten years, after a 20-month open process;
 - (d) the arrangement involves a \$1.145 billion upfront premium;
- (2) in accordance with Standing Order 10.01, requires the Leader of the Government to table in the Council, within three weeks of the House agreeing to this resolution, the following documents held by the Department of Justice and Community Safety, the Department of Treasury and Finance and the Department of Premier and Cabinet, and relevant ministerial offices, from 1 January 2024 to 6 May 2026 —
 - (a) all briefs, submissions and advice concerning exclusive or bilateral negotiations rather than a registration-of-interest process, tender, or other open market process;
 - (b) all valuation advice or financial modelling concerning the 40-year licence extension and \$1.145 billion premium;
 - (c) all records of meetings, in person or otherwise, including diary entries, agendas, file notes, minutes, electronic communications including SMS and encrypted messaging applications, and any other correspondence between the Government and The Lottery Corporation and related entities concerning the arrangement;

- (d) all advice, reports, assessments or recommendations provided by the Victorian Gambling and Casino Control Commission; and
- (e) the executed Public Lottery Licence agreement, including side letters or ancillary agreements.

Debate ensued.

The Acting President advised that the total time allocated for debate, pursuant to Sessional Order 6, had elapsed.

Question — put and agreed to.

7 MODEL COUNCILLOR CODE OF CONDUCT — David Limbrick moved, That this House notes that —

- (1) local government reforms passed in 2020 established a requirement that each Council adopt its own Councillor Code of Conduct and associated processes, provided they were consistent with the ‘standards of conduct’;
 - (2) reforms passed in 2024 replaced this requirement by imposing a Model Councillor Code of Conduct to all Councils and limiting the scope of internal resolution procedures;
 - (3) during debate on the 2024 reforms Minister Blandthorn expressed a hope that it would lead to fewer frivolous cases;
 - (4) frivolous and vexatious cases are still going through the internal arbitration process, relying on external independent arbiters at significant cost;
 - (5) despite section 5 of the Model Councillor Code of Conduct stating that it is not intended to “limit, restrict or detract from robust public debate of issues in a democracy” it has had this effect;
 - (6) robust political debate is critical to ensuring that issues of public concern are subject to discussion and consideration in our democratic institutions;
- and calls on the Government to review the Model Councillor Code of Conduct and associated laws and regulations to ensure that councillors are free to express opinions and challenge ideas and policies without being subjected to lengthy arbitration processes.

Debate ensued.

Business interrupted at 12.00 noon, pursuant to Sessional Orders.

8 QUESTION TIME —

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

* * * * *

CONSTITUENCY QUESTIONS — Members asked constituency questions.

9 MODEL COUNCILLOR CODE OF CONDUCT — Debate continued on the question, That this House notes that —

- (1) local government reforms passed in 2020 established a requirement that each Council adopt its own Councillor Code of Conduct and associated processes, provided they were consistent with the ‘standards of conduct’;
- (2) reforms passed in 2024 replaced this requirement by imposing a Model Councillor Code of Conduct to all Councils and limiting the scope of internal resolution procedures;

- (3) during debate on the 2024 reforms Minister Blandthorn expressed a hope that it would lead to fewer frivolous cases;
 - (4) frivolous and vexatious cases are still going through the internal arbitration process, relying on external independent arbiters at significant cost;
 - (5) despite section 5 of the Model Councillor Code of Conduct stating that it is not intended to “limit, restrict or detract from robust public debate of issues in a democracy” it has had this effect;
 - (6) robust political debate is critical to ensuring that issues of public concern are subject to discussion and consideration in our democratic institutions;
- and calls on the Government to review the Model Councillor Code of Conduct and associated laws and regulations to ensure that councillors are free to express opinions and challenge ideas and policies without being subjected to lengthy arbitration processes.

Question — put and agreed to.

10 VICTORIA POLICE’S CANNABIS CAUTIONING SCHEME — Rachel Payne moved, That this House notes that —

- (1) the Victoria Police Operational Manual states that —
 - (a) Victoria Police support the appropriate use of cautions, with the aim of redirecting eligible persons away from contact with the formal criminal justice system;
 - (b) in September 2024, Victoria Police updated guidance in relation to adult cannabis cautions to expand eligibility to include —
 - (i) removing restrictions on the number of cautions or diversions a person can be subject to;
 - (ii) removing the requirement that no other offences be involved unless deemed ineligible offences, that is all indictable offences that are not triable summarily;
 - (2) recent Crime Statistics Agency data shows that —
 - (a) in 2021, 34 per cent of unique alleged offenders received a cannabis caution compared to 2025 where 37.5 per cent of unique alleged offenders received a cannabis caution, despite the revised guidance;
 - (b) rates of cautioning for Indigenous people are 11 times lower than the rate of non-Indigenous Victorians in the cannabis possession statistics;
 - (3) given the broadened eligibility and removal of limits on cautions, the absence of a legislative framework risks inconsistent application, and supports the case for establishing the cannabis cautioning scheme in legislation to promote consistency, transparency and accountability;
- and calls on the Government to investigate options for legislative reform to Victoria Police’s cannabis cautioning scheme.

Debate ensued.

Question — put and agreed to.

11 2026-27 BUDGET — Bev McArthur moved, That this House —

- (1) condemns the Allan Labor Government’s reckless disregard for Victoria’s future demonstrated in its 2026-27 State Budget, and in particular —
 - (a) the expected increase in net debt to \$199.3 billion in 2029-30, up from \$21.8 billion in 2014;

- (b) the expected increase in interest expenses to \$11.8 billion per year by 2029-30, up from \$2.1 billion in 2014;
- (c) the expected increase in total taxation revenue to \$50.2 billion per year by 2029-30, up from \$17.9 billion in 2014
- (d) the expected increase in employee expenses to \$45.5 billion per year by 2029-30, up from \$18.5 billion in 2014;
- (2) notes that the financial burden on Victorian families by 2029-30 will be —
 - (a) net debt per Victorian household of over \$70,000;
 - (b) an interest bill of over \$32 million each and every day;
- (3) recognises that the burden of repaying this debt will disproportionately fall on, and reduce the future opportunities of, younger Victorians;
- (4) calls on the Government to commit to a long-term economic plan to secure Victoria's future so that it can prioritise policy solutions to —
 - (a) ease cost-of-living pressures;
 - (b) keep Victorians safe;
 - (c) strengthen healthcare; and
 - (d) enable home ownership.

Debate ensued.

The President advised that the total time allocated for debate, pursuant to Sessional Order 3, had elapsed.

Question — put.

The Council divided — The President in the Chair.

AYES, 15

Melina Bath; Gaele Broad; Georgie Crozier; David Davis; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.
(Recorded by Clerks-at-the-Table, pursuant to an order of the Council on 23 April 2020)

NOES, 20

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; Michael Galea; Anasina Gray-Barberio; Shaun Leane; Sarah Mansfield; Tom McIntosh; Aiv Puglielli; Georgie Purcell; 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.

12 BUSINESS POSTPONED — Ordered — That the consideration of the remaining notices of motion and orders of the day, general business, be postponed until later this day.

13 STATEMENTS ON TABLED PAPERS AND PETITIONS — Members made statements on reports, papers and petitions.

Business interrupted at 6.03 pm, pursuant to Sessional Orders.

14 PETITIONS (QUALIFYING FOR DEBATE) — RETAIN MARYBOROUGH VICROADS SERVICES — Bev McArthur moved, That the petition be taken into consideration.

Debate ensued.

Question — put and agreed to.

- 15 SITTING OF THE COUNCIL** — Jaclyn Symes moved, That the Council, at its rising, adjourn until Tuesday, 2 June 2026.
Question — put and agreed to.
- 16 APPROPRIATION (2026-2027) BILL 2026** — The 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 2026/2027 and for other purposes* and requesting the agreement of the Council.
On the motion of Jaclyn Symes, the Bill was read a first time and, by leave, ordered to be read a second time forthwith.
Jaclyn Symes laid on the Table statements of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006* and the *Statewide Treaty Act 2025*.
Jaclyn Symes moved, That the Bill be now read a second time.
Jaclyn Symes incorporated the second reading speech in Hansard.
On the motion of Richard Welch, the debate was adjourned for one week.
- 17 COGNATE DEBATE — APPROPRIATION (2026-2027) BILL 2026 — BUDGET PAPERS, 2026-27** — Jaclyn Symes moved, by leave, That this House authorises the President to permit the second reading debate on the Appropriation (2026-2027) Bill 2026 to be taken concurrently with the debate on the motion to take note of the Budget Papers, 2026-27, contingent on such a motion being moved.
Question — put and agreed to.
- 18 APPROPRIATION (PARLIAMENT 2026-2027) BILL 2026** — The 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 2026/2027 and for other purposes* and requesting the agreement of the Council.
On the motion of Jaclyn Symes, the Bill was read a first time and, by leave, ordered to be read a second time forthwith.
Jaclyn Symes laid on the Table statements of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006* and the *Statewide Treaty Act 2025*.
Jaclyn Symes moved, That the Bill be now read a second time.
Jaclyn Symes incorporated the second reading speech in Hansard.
On the motion of Richard Welch, the debate was adjourned for one week.
- 19 ADJOURNMENT** — Jaclyn Symes moved, That the House do now adjourn.
Debate ensued.
The Council adjourned at 7.15 pm until Tuesday, 2 June 2026.

ROBERT McDONALD
Clerk of the Legislative Council