



LEGISLATIVE COUNCIL
MINUTES OF THE PROCEEDINGS
60TH PARLIAMENT
Nos. 63, 64 and 65

No. 63 — Tuesday, 30 April 2024

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

2 **ASSENT TO ACT** — The President read a Message from the Governor informing the Council that she had, on 23 April 2024, given the Royal Assent to the following Act presented to her by the Clerk of the Parliaments:
Statute Law Revision Act 2024.

3 **SENATE VACANCY** — The President announced the receipt of a Message from the Governor transmitting a letter from the President of the Senate notifying that a vacancy had occurred in the Senate through the resignation of Senator Janet Rice.

4 **QUESTION TIME** —

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

* * * * *

ANSWERS TAKEN INTO CONSIDERATION — On the motion of David Davis, the answers given by Enver Erdogan to questions relating to Western Plains Correctional Centre (QwN 499) were ordered to be taken into consideration on the next day of meeting.

* * * * *

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

- **Proficiency testing for existing native bird hunters (QwN 496)** — substantive and supplementary questions asked by Georgie Purcell — response from Gayle Tierney due Thursday, 2 May 2024.
- **Western Plains Correctional Centre (QwN 499)** — substantive question asked by David Davis — response from Enver Erdogan due Wednesday, 1 May 2024.

* * * * *

CONSTITUENCY QUESTIONS — Members asked constituency questions.

5 SENTENCING AMENDMENT (SENTENCING PRACTICES FOR CHILD SEXUAL OFFENCES)

BILL 2024 — Evan Mulholland introduced *A Bill for an Act to amend the Sentencing Act 1991 in relation to the sentencing of an offender for a child sexual offence and for other purposes*.

On the motion of Evan Mulholland, the Bill was read a first time and ordered to be read a second time on the next day of meeting.

6 PAPERS —

COMMITTEE REPORTS —

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Sheena Watt tabled Alert Digest No. 5 of 2024 (including Appendices) from the Scrutiny of Acts and Regulations Committee (*Ordered to be published*).

Sheena Watt moved, That the Council take note of the Report.

Debate ensued.

Question — put and agreed to.

* * * * *

SELECT COMMITTEE ON THE 2026 COMMONWEALTH GAMES BID — Pursuant to Standing Order 23.22, David Limbrick tabled the Select Committee's Interim Report on the Inquiry into the 2026 Commonwealth Games bid (including Appendices and Extracts of Proceedings), and presented Transcripts of Evidence (*Transcripts of Evidence ordered to be tabled and the Report published*).

David Limbrick moved, That the Council take note of the Report.

Debate ensued.

Question — put and agreed to.

* * * * *

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

Commissioner for Environmental Sustainability Victoria — State of the Birrarung (Yarra) and Its Parklands 2023 Report.

Parliamentary Salaries, Allowances and Superannuation Act 1968 — Compliance Officer — Statement of Findings: Appeal of a decision to reject a claim under the international travel allowance, under section 9H of the Act (*Ordered to be published*).

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

Darebin Planning Scheme — Amendment C219.

Glenelg Planning Scheme — Amendment C112.

Greater Geelong Planning Scheme — Amendment C383.

Stonnington Planning Scheme — Amendment C333.

Victoria Planning Provisions — Amendment VC252.

Yarra Planning Scheme — Amendments C307 and C324.

Statutory Rules under the following Acts of Parliament —

Drugs, Poisons and Controlled Substances Act 1981 — No. 21.

Equipment (Public Safety) Act 1994 — No. 22.

National Gas (Victoria) Act 2008 — No. 25.

Occupational Health and Safety Act 2004 — No. 23.

Prisoners (Interstate Transfer) Act 1983 — No. 24.

Subordinate Legislation Act 1994 — Documents under section 15 in relation to Statutory Rule Nos. 16, 17, 18, 21, 24 and 26.

Victorian Electoral Commission — Report to Parliament on the 2023 Mulgrave District by-election, April 2024.

* * * * *

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

Response from the Minister for Community Sport to petition titled Upgrade the Daylesford Speedway (Petition No. 509) (presented by Wendy Lovell on 18 April 2024) (*released on 26 April 2024 – a non-sitting day*).

* * * * *

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

Biosecurity Legislation Amendment (Incident Response) Act 2024 — Whole Act (except Divisions 1 and 4 of Part 2 and sections 50, 90, 91, 92, 93, 94, 95 and 99) — 22 April 2024 (*Gazette S182, 16 April 2024*).

7 PRODUCTION OF DOCUMENTS —

RECREATIONAL NATIVE BIRD HUNTING ARRANGEMENTS — The Clerk tabled a letter from the Attorney-General, dated 23 April 2024, in response to a resolution of the Council on 20 March 2024 (on the motion of Georgie Purcell), relating to recreational native bird hunting arrangements, advising that there was insufficient time to respond and that a final response to the Order would be provided as soon as possible.

* * * * *

BETTER REGULATION VICTORIA'S REVIEW OF VICTORIA'S APPROACH TO ILLICIT TOBACCO REGULATION — In response to a resolution of the Council on 7 February 2024 (on the motion of David Limbrick), relating to Better Regulation Victoria's Review of Victoria's approach to illicit tobacco regulation, the Clerk tabled —

- Better Regulation Victoria's Report on Addressing Illicit Tobacco: Review into Victoria's Approach to Illicit Tobacco Regulation (one document); and
- a letter from the Attorney-General, dated 29 April 2024, advising that the Government is continuing work to identify and process any further documents that may be relevant to and come within scope of the Order and will endeavour to provide a final response to the Order as soon as possible.

* * * * *

MEDICALLY SUPERVISED INJECTING ROOM IN MELBOURNE'S CBD — In response to a resolution of the Council on 21 February 2024 (on the motion of David Ettershank), relating to a Medically Supervised Injecting Room in Melbourne's CBD, the Clerk tabled —

- Ken Lay's Final Report into a Proposed Medically Supervised Injecting Service trial consultation: City of Melbourne (one document); and
- a letter from the Attorney-General, dated 29 April 2024, advising that a claim of executive privilege is no longer made in respect to Mr Lay's report, and the Government is continuing work to identify and process any further documents that may be relevant to and come within scope of the Order and will endeavour to provide a final response to the Order as soon as possible.

REDEVELOPMENT OF HIGH-RISE PUBLIC HOUSING SITES — The Clerk tabled a letter from the Attorney-General, dated 29 April 2024, in response to a resolution of the Council on 15 November 2023 (on the motion of Samantha Ratnam), relating to the redevelopment of high-rise public housing sites —

- advising that following consultation with the responsible Departments, the current scope of the Order would capture approximately 200,000 pages of documents, cost approximately \$2 million in legal fees to review, and take up to four years to produce;
- inviting the Council to pass a revised Order that excludes email correspondence and specifies a confined time-period for documents dated earlier than 15 November 2023 to allow the Government to respond in a timely and cost-effective manner that will still capture the intention of the original Order;
- raising a range of general issues with orders for production of documents and suggesting that the scope of any orders be drafted to —
 - precisely identify the documents sought;
 - not require production of “all documents”; and
 - set a reasonable timeframe in which these documents can be located, assessed and tabled with the Council.

8 BUSINESS OF THE COUNCIL — Georgie Crozier moved, by leave, That the following general business take precedence on Wednesday, 1 May 2024 —

- (1) order of the day No. 1, second reading of the Hemp Industry Bill 2024;
- (2) order of the day made this day, second reading of the Sentencing Amendment (Sentencing Practices for Child Sexual Offences) Bill 2024;
- (3) notice of motion given this day by David Limbrick on the production of documents relating to the 2026 Commonwealth Games bid;
- (4) notice of motion given this day by David Limbrick on the Cass Review and services and care for children experiencing gender-related distress;
- (5) notice of motion given this day by Georgie Crozier on the North Richmond Medically Supervised Injecting Room;
- (6) notice of motion No. 381, standing in David Davis’ name revoking Planning Scheme Amendment VC261 to the Victoria Planning Provisions; and
- (7) notice of motion No. 374, standing in Georgie Crozier’s name on health services.

Question — put and agreed to.

9 PRODUCTION OF DOCUMENTS — SUSPENSION OF LEADER OF THE GOVERNMENT — Pursuant to a resolution of the Council on 20 March 2024, David Davis moved, That this House suspends the Leader of the Government from the service of the Council for the remainder of today and for the next two subsequent sitting days.

Debate ensued.

Georgie Crozier moved, as an amendment, That all the words after “That” be **omitted and replaced** with —

“this House —

- (1) notes the failure of the Leader of the Government to comply with a number of resolutions of the Council requiring the Leader of the Government to table

specified documents in the Legislative Council by particular dates, and further notes that orders for the following have not been complied with —

- (a) Hydrogen Energy Supply Chain Project on 22 March 2023;
 - (b) Gas and electricity supplies on 15 November 2023;
 - (c) Redevelopment of high-rise public housing sites on 15 November 2023;
 - (d) Kangaroo Harvest Management Plan on 29 November 2023;
 - (e) Commonwealth infrastructure review on 29 November 2023;
 - (f) Port of Hastings' application for offshore wind turbine facilities on 7 February 2024;
 - (g) Better Regulation Victoria's Review of Victoria's approach to illicit tobacco regulation on 7 February 2024;
 - (h) Medically Supervised Injecting Room in Melbourne's CBD on 21 February 2024, paragraph 2(b);
- (2) affirms the privileges, immunities and powers conferred on the Council pursuant to section 19 of the *Constitution Act 1975*, and the power to make Standing Orders under section 43 of that Act;
 - (3) affirms the right of the Council to require the production of documents;
 - (4) believes that the Leader of the Government's failure to comply with the orders in paragraph (1) is unacceptable and disrespectful of the Legislative Council;
 - (5) requires the Leader of the Government to table in the Council, by 12.00 noon on 14 May 2024, the documents ordered by the Council in the motions identified in paragraphs (1)(a) to (h); and
 - (6) permits that if the Leader of the Government has not complied with Standing Order 10.01 in relation to all the documents listed in paragraph (1) within the timeframe specified in paragraph (5), the Council will, at the conclusion of formal business on Tuesday, 14 May 2024 (or if formal business does not occur that day, at the conclusion of formal business on the next sitting day) give precedence for a non-government member to move, without leave, "That this House suspends the Leader of the Government from the service of the Council for the remainder of today and for the next two subsequent sitting days."."

Debate ensued.

Question — That the amendment moved by Georgie Crozier be agreed to — put.

The Council divided — The President in the Chair.

AYES, 24

Melina Bath; Jeff Bourman; Gaele Broad; Katherine Copsey; Georgie Crozier; David Davis; Moira Deeming; David Ettershank; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Sarah Mansfield; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rachel Payne; Georgie Purcell; Samantha Ratnam; Adem Somyurek; Rikkie-Lee Tyrrell; Richard Welch.

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

NOES, 15

Ryan Batchelor; John Berger; Lizzie Blandthorn; Enver Erdogan; Jacinta Ermacora; Michael Galea; Shaun Leane; Tom McIntosh; 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 agreed to.

Question — That the motion, amended as follows, be agreed to — That this House —

- (1) notes the failure of the Leader of the Government to comply with a number of resolutions of the Council requiring the Leader of the Government to table specified documents in the Legislative Council by particular dates, and further notes that orders for the following have not been complied with —
 - (a) Hydrogen Energy Supply Chain Project on 22 March 2023;
 - (b) Gas and electricity supplies on 15 November 2023;
 - (c) Redevelopment of high-rise public housing sites on 15 November 2023;
 - (d) Kangaroo Harvest Management Plan on 29 November 2023;
 - (e) Commonwealth infrastructure review on 29 November 2023;
 - (f) Port of Hastings' application for offshore wind turbine facilities on 7 February 2024;
 - (g) Better Regulation Victoria's Review of Victoria's approach to illicit tobacco regulation on 7 February 2024;
 - (h) Medically Supervised Injecting Room in Melbourne's CBD on 21 February 2024, paragraph 2(b);
- (2) affirms the privileges, immunities and powers conferred on the Council pursuant to section 19 of the *Constitution Act 1975*, and the power to make Standing Orders under section 43 of that Act;
- (3) affirms the right of the Council to require the production of documents;
- (4) believes that the Leader of the Government's failure to comply with the orders in paragraph (1) is unacceptable and disrespectful of the Legislative Council;
- (5) requires the Leader of the Government to table in the Council, by 12.00 noon on 14 May 2024, the documents ordered by the Council in the motions identified in paragraphs (1)(a) to (h); and
- (6) permits that if the Leader of the Government has not complied with Standing Order 10.01 in relation to all the documents listed in paragraph (1) within the timeframe specified in paragraph (5), the Council will, at the conclusion of formal business on Tuesday, 14 May 2024 (or if formal business does not occur that day, at the conclusion of formal business on the next sitting day) give precedence for a non-government member to move, without leave, "That this House suspends the Leader of the Government from the service of the Council for the remainder of today and for the next two subsequent sitting days." — put.

The Council divided — The President in the Chair.

AYES, 24

Melina Bath; Jeff Bourman; Gaelle Broad; Katherine Copsey; Georgie Crozier; David Davis; Moira Deeming; David Ettershank; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Sarah Mansfield; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rachel Payne; Georgie Purcell; Samantha Ratnam; Adem Somyurek; Rikkie-Lee Tyrrell; Richard Welch.

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

NOES, 15

Ryan Batchelor; John Berger; Lizzie Blandthorn; Enver Erdogan; Jacinta Ermacora; Michael Galea; Shaun Leane; Tom McIntosh; 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 agreed to.

10 MEMBERS' STATEMENTS — Members made statements.**11 BUSINESS POSTPONED** — Ordered — That the consideration of notices of motion, government business, Nos. 241 to 372, be postponed until later this day.**12 ENERGY AND PUBLIC LAND LEGISLATION AMENDMENT (ENABLING OFFSHORE WIND ENERGY) BILL 2024** — Debate resumed on the question, That the Bill be now read a second time.

David Davis (*DD135C*) circulated amendments proposed to be moved during Committee of the whole.

Question — put and agreed to.

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

House in Committee.

Business interrupted at 6.30 pm.

On the motion of Lee Tarlamis, the meal break scheduled for this day was suspended.

Bill further considered in Committee of the whole.

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.

13 ADJOURNMENT — Enver Erdogan moved, That the House do now adjourn.

Debate ensued.

The Council adjourned at 7.24 pm until tomorrow.

ROBERT McDONALD
Clerk of the Legislative Council

No. 64 — Wednesday, 1 May 2024

- 1 The President took the Chair at 9.32 am, read the Prayer and made an Acknowledgement of Country.

2 PAPERS —

PAPER PRESENTED BY ORDER OF THE COUNCIL — Gayle Tierney, by leave, presented the University of Divinity Report, 2023 (*Ordered to be tabled*).

* * * * *

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

Auditor-General —

Follow-up of Management of the Student Resource Package, May 2024 (*Ordered to be published*).

Literacy and Numeracy Achievement Outcomes for Victorian Students, May 2024 (*Ordered to be published*).

Bendigo Kangan Institute — Report, 2023.

Box Hill Institute — Report, 2023.

Chisholm Institute — Report, 2023.

Deakin University — Report, 2023.

Federation University Australia — Report, 2023.

Financial Management Act 1994 — Minister for Environment's report that the Alpine Resorts Victoria Report, 2023 has not been received, together with an explanation for the delay, under section 46(3)(a) of the Act.

Gordon Institute of TAFE (The Gordon) — Report, 2023.

Goulburn Ovens Institute of TAFE (GOTAFE) — Report, 2023.

Holmesglen Institute — Report, 2023.

La Trobe University — Report, 2023.

Melbourne Polytechnic — Report, 2023.

Monash University — Report, 2023.

Professional Standards Act 2003 —

Bar Association of Queensland Professional Standards Scheme (*Gazette G17, 24 April 2024*).

Law Society of Western Australia Professional Standards Scheme (*Gazette G17, 24 April 2024*).

Royal Melbourne Institute of Technology (RMIT University) — Report, 2023.

South West Institute of TAFE — Report, 2023.

Statutory Rules under the following Acts of Parliament —

Victorian Civil and Administrative Tribunal Act 1998 — No. 27.

Victorian Energy Efficiency Target Act 2007 — No. 26.

Sunraysia Institute of TAFE (SuniTAFE) — Report, 2023.

Swinburne University of Technology — Report, 2023.

TAFE Gippsland — Report, 2023.

The University of Melbourne — Report, 2023.

Victoria University — Report, 2023.

William Angliss Institute of TAFE — Report, 2023.

Wodonga Institute of TAFE — Report, 2023.

Yorta Yorta Traditional Owner Land Management Board — Minister's report of receipt of the 2022-23 Report.

3 MEMBERS' STATEMENTS — Members made statements.

4 HEMP INDUSTRY BILL 2024 — Rachel Payne laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Rachel Payne moved, That the Bill be now read a second time.

On the motion of Lee Tarlamis, the debate was adjourned for two weeks.

5 SENTENCING AMENDMENT (SENTENCING PRACTICES FOR CHILD SEXUAL OFFENCES) BILL 2024 — Evan Mulholland laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Evan Mulholland moved, That the Bill be now read a second time.

On the motion of Lee Tarlamis, the debate was adjourned for two weeks.

6 PRODUCTION OF DOCUMENTS — NATIONAL ENERGY BODIES — David Davis moved, That this House requires the Leader of the Government, in accordance with Standing Order 10.01, to table in the Council, within three weeks of the House agreeing to this resolution, the agendas and minutes, and any attachments thereto, of every meeting of the boards of the Australian Energy Market Commission, the Australian Energy Regulator and the Australian Energy Market Operator since 1 January 2022.

Debate ensued.

Question — put and agreed to.

7 BUSINESS POSTPONED — Ordered — That the consideration of notice of motion, No. 390, be postponed until the next day of meeting.

8 PRODUCTION OF DOCUMENTS — 2026 COMMONWEALTH GAMES BID — David Limbrick moved, That this House —

- (1) notes that the Government has claimed executive privilege regarding certain documents outlined in Appendix D of the Interim Report into the 2026 Commonwealth Games bid;
- (2) affirms the privileges, immunities and powers conferred on the Council pursuant to section 19 of the *Constitution Act 1975*, and the power to make Standing Orders under section 43 of that Act;
- (3) affirms the right of the Council to require the production of documents;
- (4) requires the Leader of the Government to table in the Council, in accordance with Standing Order 10.01, within 30 days of the House agreeing to this resolution, copies of documents over which executive privilege was claimed, as per Appendix D of the Interim Report into the 2026 Commonwealth Games bid, in response to —
 - (a) questions on notice 1.2, 6, 7, 9, 15, 16, and additional questions 6 and 8, asked on Wednesday, 9 October 2023 to the Department of Jobs, Skills, Industry and Regions (DJSIR);
 - (b) question on notice 7 asked on Monday, 9 October 2023 to the Office of the Commonwealth Games;
 - (c) question on notice 1 asked on Monday, 9 October 2023 to the Department of Premier and Cabinet (DPC);

- (d) question on notice 7 asked on Friday, 13 October 2023 to the Department of Treasury and Finance (DTF);
- (e) question on notice 4 asked on Tuesday, 5 December 2023 to DJSIR;
- (f) documents summoned on Thursday, 8 November 2023 from DPC, including three briefing notes and the table containing information about claims of executive privilege; and
- (g) documents summoned on Thursday, 8 November 2023 from DTF, including six briefing notes and three extra pieces of correspondence.

Debate ensued.

Question — put and agreed to.

- 9 BUSINESS POSTPONED** — Ordered — That the consideration of notice of motion, general business, No. 386, be postponed until later this day.

- 10 NORTH RICHMOND MEDICALLY SUPERVISED INJECTING ROOM** — Georgie Crozier moved, That this House —

- (1) notes the Allan Government's decision to back down on its commitment to construct a second Medically Supervised Injecting Room (MSIR) within Melbourne's CBD;
- (2) expresses concern at the Government's conflicting positions on the location of MSIRs, noting —
 - (a) the Lay Report, in which he states he was merely asked to "talk to key stakeholders about the proposed siting and implementation of an injecting service in the City";
 - (b) since 2020, when Mr Lay was first commissioned to consult on a second MSIR, the waitlist for drug and alcohol services in Victoria has increased by 40 per cent;
 - (c) the Labor Government wasted four years by under-delivering much needed services;
 - (d) the Premier's 23 April 2024 comments that "we have been unable to find a right location that strikes the right balance with supporting people who use drugs with the needs of the broader community" are inconsistent with the decision to set up an injecting facility next to a primary school;
- (3) further notes that despite several reviews into the efficacy of the existing North Richmond MSIR, a February 2023 review by Mr John Ryan noted that "determining the suitability of the current location of the MSIR was not within the scope of the Review Panel"; and
- (4) calls on the Government to immediately review the North Richmond MSIR site in light of the Premier's comments regarding feedback from the broader community within the CBD.

Debate ensued.

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

- 11 JOINT SITTING — SENATE VACANCY** — The President read a Message from the Assembly informing the Council that they have agreed to meet the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Janet Rice, and proposes that the place and time of such meeting be the Legislative Assembly Chamber on 1 May 2024 at 6.00 pm, and requesting the agreement of the Council.

On the motion of Lizzie Blandthorn, by leave, the Assembly's Message was ordered to be taken into consideration forthwith.

Lizzie Blandthorn moved, That this House meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Janet Rice, and as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 1 May 2024 at 6.00 pm.

Question — put and agreed to.

Message sent to the Assembly informing them of the resolution.

Business interrupted at 12.02 pm, pursuant to Sessional Orders.

12 QUESTION TIME —

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

* * * * *

ANSWERS TAKEN INTO CONSIDERATION — On the motion of Georgie Crozier, the answers given by Lizzie Blandthorn to questions relating to the Joint child sexual exploitation program (QwN 504) were ordered to be taken into consideration on the next day of meeting.

* * * * *

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

- **Violence against women (QwN 501)** — substantive and supplementary questions asked by Rikkie-Lee Tyrrell — response from Lizzie Blandthorn due Friday, 3 May 2024.
- **Joint child sexual exploitation program (QwN 504)** — supplementary question asked by Georgie Crozier — response from Lizzie Blandthorn due Friday, 3 May 2024.
- **Impact of protests on police resources (QwN 505)** — substantive and supplementary questions asked by Jeff Bourman — response from Enver Erdogan due Friday, 3 May 2024.
- **Violence against prison staff (QwN 506)** — supplementary question asked by David Davis — response from Enver Erdogan due Thursday, 2 May 2024.

* * * * *

CONSTITUENCY QUESTIONS — Members asked constituency questions.

13 NORTH RICHMOND MEDICALLY SUPERVISED INJECTING ROOM — Debate resumed on the question, That this House —

- (1) notes the Allan Government's decision to back down on its commitment to construct a second Medically Supervised Injecting Room (MSIR) within Melbourne's CBD;
- (2) expresses concern at the Government's conflicting positions on the location of MSIRs, noting —
 - (a) the Lay Report, in which he states he was merely asked to "talk to key stakeholders about the proposed siting and implementation of an injecting service in the City";

- (b) since 2020, when Mr Lay was first commissioned to consult on a second MSIR, the waitlist for drug and alcohol services in Victoria has increased by 40 per cent;
- (c) the Labor Government wasted four years by under-delivering much needed services;
- (d) the Premier's 23 April 2024 comments that "we have been unable to find a right location that strikes the right balance with supporting people who use drugs with the needs of the broader community" are inconsistent with the decision to set up an injecting facility next to a primary school;
- (3) further notes that despite several reviews into the efficacy of the existing North Richmond MSIR, a February 2023 review by Mr John Ryan noted that "determining the suitability of the current location of the MSIR was not within the scope of the Review Panel"; and
- (4) calls on the Government to immediately review the North Richmond MSIR site in light of the Premier's comments regarding feedback from the broader community within the CBD.

The Acting 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, 17

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Adem Somyurek; 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; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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.

14 REVOCATION OF PLANNING SCHEME AMENDMENT VC261 TO VICTORIA PLANNING PROVISIONS — David Davis moved, That this House —

- (1) notes that —
 - (a) Planning Scheme Amendment VC261 changes the Victoria Planning Provisions and all planning schemes in Victoria with respect to renewable energy facilities and associated utility installation, including removing the right of impacted Victorians to appeal such planning approvals at VCAT;
 - (b) Planning Scheme Amendment VC261 was gazetted on 4 April 2024 and tabled in this House on 18 April 2024; and
- (2) pursuant to section 38(2) of the *Planning and Environment Act 1987*, revokes Amendment VC261 to the Victoria Planning Provisions.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 17

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Adem Somyurek; 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; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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 negatived.

- 15 BUSINESS POSTPONED** — Ordered — That the consideration of the remaining notices of motion and orders of the day, general business, be postponed until the next day of meeting.

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

- 17 PETITIONS (QUALIFYING FOR DEBATE) — PERMANENT ACCESSIBLE TRAM STOPS ON SYDNEY ROAD** — Samantha Ratnam moved, That the petition be taken into consideration.

Debate ensued.

Question — put and agreed to.

- 18 ADJOURNMENT** — Enver Erdogan moved, That the House do now adjourn.

Debate ensued.

The Council adjourned at 5.42 pm until tomorrow.

ROBERT McDONALD

Clerk of the Legislative Council

No. 65 — Thursday, 2 May 2024

- 1** The President took the Chair at 9.31 am, read the Prayer and made an Acknowledgement of Country.

- 2 JOINT SITTING — SENATE VACANCY** — The President reported that the House met with the Legislative Assembly on Wednesday, 1 May 2024 to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator Janet Rice and the joint sitting elected Stephanie Hodgins-May.

- 3 PETITIONS —**

INTRODUCE MEDICALLY SUPERVISED INJECTING ROOMS AND NEEDLE SYRINGE PROGRAMS — Sarah Mansfield presented a petition bearing 24 signatures from certain citizens of Victoria requesting that the Legislative Council review the current

harm reduction strategies and introduce overdose prevention rooms (also known as medically supervised injecting rooms) alongside community Needle Syringe Programs in the Geelong region and/or any other location where drug use is affecting communities, noting that these facilities need to be wrap-around services that act as a gateway to health and social services for people with addiction (*Ordered to be tabled*).

* * * * *

END PARTNERSHIP WITH ELBIT SYSTEMS — Samantha Ratnam presented a petition bearing 2,079 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to end its partnership with Elbit Systems and its memorandum of understanding with Israel's Ministry of Defense, and support an immediate embargo on military trade from Victoria to Israel (*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).

* * * * *

INCLUDE TOILET FACILITIES AT THE NEW RINGWOOD EAST STATION — Sonja Terpstra presented a petition bearing 1,382 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to change the design of the development of the new Ringwood East Station to follow its own urban design principles and objectives, include toilet facilities and ensure that the design reflects the needs and aspirations of the community that it will serve for many years to come (*Ordered to be tabled*).

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

Child Wellbeing and Safety Act 2005 — Final Report on the Review of Victoria's Reportable Conduct Scheme, March 2024, under section 16ZN of the Act.

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2023-24 Budget Estimates.

Subordinate Legislation Act 1994 —

Documents under section 15 in relation to Statutory Rule Nos. 27 and 28.

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

PrimeSafe meat industry licensing and fees determination 2024 for 1 July 2024 – 30 June 2025, under the Meat Industry Act 1993.

PrimeSafe seafood safety licensing and fees determination 2024 for 1 July 2024 – 30 June 2025, under the Seafood Safety Act 2003.

5 SITTING OF THE COUNCIL — Lizzie Blandthorn moved, That the Council, at its rising, adjourn until Tuesday, 14 May 2024.

Question — put and agreed to.

6 COMMITTEE MEMBERSHIP — David Limbrick moved, by leave, That Moira Deeming be a member of the Economy and Infrastructure Standing Committee.

Question — put and agreed to.

7 MEMBERS' STATEMENTS — Members made statements.

8 BUSINESS POSTPONED — Ordered — That the consideration of notices of motion, government business, Nos. 251 to 399, be postponed until later this day.

9 NATIONAL ELECTRICITY (VICTORIA) AMENDMENT (VICGRID) BILL 2024 — Debate resumed on the question, That the Bill be now read a second time.

David Davis (*DD137C*) circulated amendments proposed to be moved during Committee of the whole.

Business interrupted at 12.00 noon.

10 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 ministers to provide written responses to questions without notice pursuant to Standing Order 8.07 as follows:

- **Local government planning (QwN 510)** — substantive and supplementary questions asked by Moira Deeming — response from Harriet Shing due Monday, 6 May 2024.
- **Support for survivors of child sexual abuse (QwN 514)** — substantive and supplementary questions asked by Rachel Payne — response from Ingrid Stitt due Monday, 6 May 2024.

* * * * *

CONSTITUENCY QUESTIONS — Members asked constituency questions.

11 NATIONAL ELECTRICITY (VICTORIA) AMENDMENT (VICGRID) BILL 2024 — Debate continued 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.

Ingrid Stitt moved, That the Bill be now read a third time and do pass.

Question — put.

The Council divided — The President in the Chair.

AYES, 20

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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)

NOES, 12

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Renee Heath; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Evan Mulholland; Rikkie-Lee Tyrrell; 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 third time and passed.

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

- 12 NATIONAL ENERGY RETAIL LAW (VICTORIA) BILL 2024** — The President read a Message from the Assembly presenting *A Bill for an Act to apply as laws of Victoria, and subject to any necessary modifications prescribed under regulations, the provisions of the National Energy Retail Law providing for retailer of last resort arrangements and the other provisions of that Law that support the effective operation of those provisions, to make related amendments to the Electricity Industry Act 2000 and the Gas Industry Act 2001 and to make other minor technical amendments to the Electricity Industry Act 2000 and the Gas Industry Act 2001 to improve their operation and for other purposes* and requesting the agreement of the Council.

On the motion of Harriet Shing (for Ingrid Stitt), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Harriet Shing laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Harriet Shing moved, That the Bill be now read a second time.

Harriet Shing incorporated the second reading speech in Hansard.

On the motion of David Davis, the debate was adjourned for one week.

- 13 COMMERCIAL AND INDUSTRIAL PROPERTY TAX REFORM BILL 2024** — The President read a Message from the Assembly presenting *A Bill for an Act to reform the taxation of commercial and industrial property, to amend the Duties Act 2000, the Taxation Administration Act 1997, the Treasury Corporation of Victoria Act 1992 and other Acts and for other purposes* and requesting the agreement of the Council.

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

Harriet Shing laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Harriet Shing moved, That the Bill be now read a second time.

Harriet Shing incorporated the second reading speech in Hansard (except for the statement under section 85(5) of the *Constitution Act 1975*).

Harriet Shing made a statement pursuant to section 85(5) of the *Constitution Act 1975* on the reasons for altering or varying this section.

On the motion of Evan Mulholland, the debate was adjourned for one week.

- 14 ESTATE AGENTS, RESIDENTIAL TENANCIES AND OTHER ACTS AMENDMENT (FUNDING) BILL 2024** — Debate resumed on the question, That the Bill be now read a second time.

David Davis moved, as a reasoned amendment, That all the words after “That” be omitted and replaced with “the Bill be withdrawn and not reintroduced until the Government provides —

- (1) proof that tenants and rental providers will not be disadvantaged by the Bill;
- (2) more information about how the Rental Dispute Resolution Victoria (RDRV) will work;
- (3) a breakdown of costings and how the RDRV will be funded;
- (4) advice on the timeline of when each stage of establishing the RDRV will be reached and for full operations;
- (5) details on how the Minister intends to seek advice in the absence of the Estate Agents Council (EAC) and Public Records Advisory Council (PRAC); and

- (6) details on what bodies will replace the EAC and PRAC, including plans for appointments, remuneration, and public information about those bodies.”.

Debate ensued.

David Davis (*DD136C*) and Katherine Copsey (for Aiv Puglielli) (*AP03C*) circulated amendments proposed to be moved during Committee of the whole.

Question — That the reasoned amendment moved by David Davis be agreed to — put.

The Council divided — The President in the Chair.

AYES, 13

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; 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; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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 and agreed to.

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

House in Committee.

Business interrupted at 6.30 pm.

On the motion of Lee Tarlamis, the meal break scheduled for this day was suspended.

Bill further considered in Committee of the whole.

Bill reported with amendments, 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 with amendments and requesting their agreement.

15 ADJOURNMENT — Harriet Shing moved, That the House do now adjourn.

Debate ensued.

The Council adjourned at 7.19 pm until Tuesday, 14 May 2024.

ROBERT McDONALD
Clerk of the Legislative Council

Published under the authority of the Legislative Council, Parliament of Victoria

COMMITTEE OF THE WHOLE COUNCIL

Supplement to Minutes Nos. 63, 64 and 65

ENERGY AND PUBLIC LAND LEGISLATION AMENDMENT (ENABLING OFFSHORE WIND ENERGY) BILL 2024

Committed Tuesday, 30 April 2024

Amendments circulated: David Davis (DD135C) (p. 506)

Clauses 1 to 7 — put and agreed to.

Clause 8 — David Davis moved amendment No. 1 (DD135C).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Renee Heath; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Adem Somyurek; 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; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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 negatived.

Clause 8 — put and agreed to.

Clauses 9 to 11 — put and agreed to.

Clause 12 — David Davis moved amendment No. 2 (DD135C).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Renee Heath; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Adem Somyurek; 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; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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.

Clause 12 — put and agreed to.

Clauses 13 and 14 — put and agreed to.

Clause 15 — David Davis moved amendment No. 3 (*DD135C*).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Renee Heath; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Adem Somyurek; 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; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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.

Clause 15 — put and agreed to.

Clauses 16 to 19 — put and agreed to.

Clause 20 — David Davis moved amendment Nos. 4 to 6 (*DD135C*).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Renee Heath; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Adem Somyurek; 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; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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 negatived.

Clause 20 — put and agreed to.

Clause 21 — put and agreed to.

Bill reported without amendment.

* * * * *

NATIONAL ELECTRICITY (VICTORIA) AMENDMENT (VICGRID) BILL 2024

Committed Thursday, 2 May 2024

Amendments circulated: David Davis (DD137C) (pp. 507-8)

Clauses 1 to 3 — put and agreed to.

Clause 4 — David Davis moved amendment Nos. 1 to 3 (DD137C).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Adem Somyurek; 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; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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 negatived.

Clause 4 — put and agreed to.

Clauses 5 to 7 — put and agreed to.

Clause 8 — Question — That clause 8 stand as part of the Bill — put.

The Committee divided — The Deputy President in the Chair.

AYES, 20

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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)

NOES, 16

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Adem Somyurek; Rikkie-Lee Tyrrell; Richard Welch.

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

Question agreed to.

Clause 9 — David Davis moved amendment Nos. 4 and 5 (*DD137C*).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 12

Georgie Crozier; David Davis; Renee Heath; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Adem Somyurek; 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; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; 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 negatived.

Clause 9 — put and agreed to.

Clauses 10 and 11 — put and agreed to.

Bill reported without amendment.

* * * * *

ESTATE AGENTS, RESIDENTIAL TENANCIES AND OTHER ACTS AMENDMENT (FUNDING) BILL 2024

Committed Thursday, 2 May 2024

Amendments circulated: David Davis (DD136C) (p. 508) and Aiv Puglielli (AP03C) (pp. 508-9)

Clause 1 — David Davis moved amendment Nos. 1 and 2 (*DD136C*).

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

Clause 1, as amended — put and agreed to.

Clauses 2 to 19 — put and agreed to.

Clause 20 — David Davis moved amendment Nos. 3 to 5 (*DD136C*).

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

Clause 20, as amended — put and agreed to.

Clauses 21 and 22 — Question — That clauses 21 and 22 stand part of the Bill — put and negatived.

Clauses 23 and 24 — put and agreed to.

Long Title — David Davis moved amendment No. 8 (*DD136*).

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

Question — That the long title, as amended, be the long title of the Bill — put and agreed to.

Bill reported with amendments.

AMENDMENTS CIRCULATED IN RELATION TO —**1. ENERGY AND PUBLIC LAND LEGISLATION AMENDMENT (ENABLING OFFSHORE WIND ENERGY) BILL 2024***Amendments circulated by David Davis (DD135C)*

1. Clause 8, page 6, after line 31 insert—
 - "(3A) Before granting a licence under subsection (1), the person who grants the licence must be satisfied that adequate consultation has been undertaken with the local community regarding the proposed licence.
 - (3B) On granting a licence under subsection (1), the person who grants the licence must publish, on a website administered by the Department, a statement setting out details of the consultation undertaken with the local community regarding the licence."
2. Clause 12, page 10, after line 34 insert—
 - "(3A) Before granting a licence under subsection (1), the Minister must be satisfied that adequate consultation has been undertaken with the local community regarding the proposed licence.
 - (3B) On granting a licence under subsection (1), the Minister must publish, on a website administered by the Department of Energy, Environment and Climate Action, a statement setting out details of the consultation undertaken with the local community regarding the licence."
3. Clause 15, page 14, after line 11 insert—
 - "(4A) Before granting a licence or permit under this section, the Minister must be satisfied that adequate consultation has been undertaken with the local community regarding the proposed licence or permit.
 - (4B) On granting a licence or permit under this section, the Minister must publish, on a website administered by the Department, a statement setting out details of the consultation undertaken with the local community regarding the licence or permit."
4. Clause 20, line 17, before "The Minister" insert "(1)".
5. Clause 20, line 20, omit 'company.'" and insert "company."
6. Clause 20, after line 20 insert—
 - '(2) The Minister must not declare a person to be an offshore wind energy generation company under subsection (1) unless the Minister is satisfied that the person is a fit and proper person to be declared an offshore wind energy generation company.'".

2. NATIONAL ELECTRICITY (VICTORIA) AMENDMENT (VICGRID) BILL 2024

Amendments circulated by David Davis (DD137C)

1. Clause 4, line 4, omit "definition" and insert "definitions".
2. Clause 4, line 6, omit '52;'. and insert "52;".
3. Clause 4, after line 6 insert—

'Community Advisory Committee' means the Community Advisory Committee established under section 88;'. '
4. Clause 9, line 3, before "Before section" insert "(1)".
5. Clause 9, after line 12 insert—

'(2) After section 12A(4) of the Principal Act **insert—**

"(4A) Regulations made for the purposes of section 75(1) must not provide that a traditional owner right within the meaning of the **Traditional Owner Settlement Act 2010** is a prescribed interest in public land.".'.
6. Clause 10, line 13, omit "**Part 7**" and insert "**Parts 7 and 8**".
7. Clause 10, page 41, line 15, omit 'delegation.'. and insert "delegation.".
8. Clause 10, page 41, after line 15 insert—

'Part 8—Community Advisory Committee

88 Minister must establish Community Advisory Committee

The Minister must—

 - (a) establish a Community Advisory Committee; and
 - (b) determine the procedure of the Committee; and
 - (c) determine the Committee's terms of reference.

89 Function of Community Advisory Committee

The function of the Community Advisory Committee is to provide advice to the Minister so that decisions made under this Act are consistent with community interests.

90 Appointment of Community Advisory Committee members

(1) The Minister must appoint the following persons to be members of the Community Advisory Committee—

 - (a) after consulting the Victorian Farmers Federation, 2 persons to represent the interests of Victorian farmers;
 - (b) after consulting the Australian Industry Group, one person to represent the interests of the Victorian manufacturing industry;

- (c) after consulting the Municipal Association of Victoria, one person to represent the interests of Victorian rural councils;
 - (d) after consulting the Victorian Chamber of Commerce and Industry, 2 persons to represent the interests of Victorian small business owners;
 - (e) after consulting Seafood Industry Victoria, one person to represent the interests of the Victorian seafood industry;
 - (f) 2 persons to represent the interests of electricity consumers in Victoria.
- (2) A member of the Community Advisory Committee is appointed on the terms and conditions that are specified in the instrument of appointment.

91 Minister and CEO VicGrid must consult Community Advisory Committee

Before making a decision under this Act, other than a decision under section 55 or 87, the Minister or the CEO VicGrid must consult the Community Advisory Committee.".'.

**3. ESTATE AGENTS, RESIDENTIAL TENANCIES AND OTHER ACTS AMENDMENT (FUNDING)
BILL 2024**

Amendments circulated by David Davis (DD136C)

1. Clause 1, page 2, lines 7 to 9, omit all words and expressions on these lines.
2. Clause 1, page 2, line 10, omit "(e)" and insert "(d)".
3. Clause 20, lines 11 and 12, omit all words and expressions on these lines.
4. Clause 20, line 13, omit "(b)" and insert "(a)".
5. Clause 20, line 15, omit "(c)" and insert "(b)".
6. Clause 21, omit this clause.
7. Clause 22, omit this clause.

AMENDMENT OF LONG TITLE

8. Long title, after "**Public Records Act 1973**" omit "to abolish the Public Records Advisory Council".

Amendments circulated by Aiv Puqlielli (AP03C)

1. Clause 1, page 2, lines 7 to 9, omit all words and expressions on these lines.
2. Clause 1, page 2, line 10, omit "(e)" and insert "(d)".
3. Clause 20, lines 11 and 12, omit all words and expressions on these lines.
4. Clause 20, line 13, omit "(b)" and insert "(a)".

5. Clause 20, line 15, omit "(c)" and insert "(b)".
6. Clause 21, omit this clause.
7. Clause 22, omit this clause.

AMENDMENT OF LONG TITLE

8. Long title, omit "to abolish the Public Records Advisory Council".

