



LEGISLATIVE COUNCIL
MINUTES OF THE PROCEEDINGS
60TH PARLIAMENT
Nos. 86, 87 and 88

No. 86 — Tuesday, 15 October 2024

1 The President took the Chair at 12.02 pm, read the Prayer and made an Acknowledgement of Country.

2 **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 17 September 2024 —

Residential Tenancies and Funerals Amendment Act 2024

Victorian Institute of Forensic Medicine Act 2024.

On 24 September 2024 —

State Civil Liability (Police Informants) Act 2024.

3 **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:

- **Funding for services and infrastructure in western suburbs (QwN 682)** — substantive and supplementary questions asked by Moira Deeming — response from Jaclyn Symes due Thursday, 17 October 2024.

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CONSTITUENCY QUESTIONS — Members asked constituency questions.

4 **PETITIONS** —

PROPOSED ST JOSEPH'S CHRISTIAN COLLEGE IN YUROKE — Evan Mulholland presented a petition bearing 4,730 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to approve the St Joseph's Christian College proposal and reconsider it with due regard to the significant community backing (*Ordered to be tabled*).

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

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CANCEL PLANS FOR HOSPITAL AMALGAMATIONS — Georgie Crozier presented a petition bearing 4,091 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to cancel its plans for hospital amalgamations and ensure that local hospitals remain stand-alone entities, with local voices that continue the great work of delivering quality care to each and every community (*Ordered to be tabled*).

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REJECT PLANS TO AMALGAMATE THE ROYAL CHILDREN'S HOSPITAL WITH OTHER HOSPITALS — Georgie Crozier presented a petition bearing 248 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to cancel its plans to amalgamate The Royal Children's Hospital with other hospitals and ensure The Royal Children's Hospital remains a stand-alone entity equipped to deliver the highest quality care to children (*Ordered to be tabled*).

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BUS NETWORK REFORM FOR WESTERN SUBURBS — David Ettershank presented a petition bearing 3,021 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to commit at least \$100 million additional annual operational funding in the next budget cycle, as well as a capital investment of at least \$100 million, to reform the bus network across the western metropolitan area into a fast, frequent, and connected grid, serviced by clean, electric buses before the 2026 election (*Ordered to be tabled*).

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

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HALT THE CLOSURE OF PROGRESS STREET IN DANDENONG SOUTH — Ann-Marie Hermans presented a petition bearing 608 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to halt the announced closure of Progress Street, Dandenong South and leave the existing level crossing in place (*Ordered to be tabled*).

On the motion of Ann-Marie Hermans, the petition was ordered to be taken into consideration on the next day of meeting.

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OPPOSE THE SHORT STAY LEVY BILL 2024 — David Limbrick presented a petition bearing 1,247 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to oppose the Short Stay Levy Bill 2024, prevent the imposition of unjustified and unfair taxes and restrictions on short-term rental accommodations, engage in meaningful consultation with the short-term rental accommodation industry and affected stakeholders to develop fair, evidence based regulations and support policies that encourage tourism growth and the sustainability of individuals and small local businesses (*Ordered to be tabled*).

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

STOP THE AMALGAMATION OF HEALTH SERVICES IN SEYMOUR — Wendy Lovell presented a petition bearing 1,298 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to release the advice of the Expert Advisory Committee on the proposed Health Services Plan, conduct genuine public consultation about any plan, and consider the community's desire for the board of directors' responsibilities to remain local and for no amalgamation of Seymour District Memorial Hospital and its allied health care services to take place (*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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IMPROVE PUBLIC TRANSPORT SERVICES IN TARNEIT — Trung Luu presented a petition bearing 113 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to immediately establish a dedicated bus service in Tarneit North with regular and reliable services to and from Tarneit Station, provide more frequent and reliable bus services in peak hours and expand parking facilities at Tarneit Station until a new station is established (*Ordered to be tabled*).

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

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HALT BARENGI GADJIN LAND COUNCIL RECOGNITION AND SETTLEMENT AGREEMENT — Joe McCracken presented a petition bearing 242 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to halt the Barengi Gadjin Land Council Recognition and Settlement Agreement (RSA), including any negotiations, to enable the community to understand the details and implications of the RSA and inform, within a reasonable time, their local councillors of their views before any further negotiations with the Barengi Gadjin Land Council begin (*Ordered to be tabled*).

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

5 PAPERS —

COMMITTEE REPORTS —

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Sonja Terpstra tabled Alert Digest No. 13 of 2024 (including Appendices and Extracts of Proceedings) from the Scrutiny of Acts and Regulations Committee (*Ordered to be published*).

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LEGAL AND SOCIAL ISSUES COMMITTEE — Pursuant to Standing Order 23.22, Trung Luu tabled a Report on the Inquiry into the state education system in Victoria (including Appendices, Extracts of Proceedings and a Minority Report) from the Legal and Social Issues Committee, and presented Transcripts of Evidence (*Transcripts of Evidence ordered to be tabled and the Report published*).

Trung Luu moved, That the Council take note of the Report.

Debate ensued.

Question — put and agreed to.

INTEGRITY AND OVERSIGHT COMMITTEE — Pursuant to section 35(2)(c) of the *Parliamentary Committees Act 2003*, and following the release of the report on 23 September 2024, the Clerk tabled the Report on the Inquiry into the operation of the *Freedom of Information Act 1982* (Vic) (including Appendices and Extracts of Proceedings) from the Integrity and Oversight Committee (*Ordered to be published*).

Ryan Batchelor presented Transcripts of Evidence (*Ordered to be tabled*).

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:

Auditor-General's Office — Report, 2023-24.

Crown Land (Reserves) Act 1978 —

Order of 9 September 2024 giving approval to the granting of a lease at O'Donnell Gardens and Shakespeare Grove Reserves.

Order of 14 August 2024 giving approval to the granting of a licence at Footscray Park.

Order of 29 September 2024 giving approval to the granting of a licence at St Kilda Botanical Gardens.

Order of 29 August 2024 giving approval to the granting of a licence at Queen Victoria Gardens and Memorial Statue Reserve.

Environment Protection Act 2017 — Sustainability Fund Guidelines, 2024.

Financial Management Act 1994 — Financial Report for the State of Victoria, 2023-24 (incorporating Quarterly Financial Report No. 4) (*released on 4 October 2024 – a non-sitting day*) (*Ordered to be published*).

Health Complaints Commissioner — Report, 2023-24.

Independent Broad-based Anti-corruption Commission —

Special Report on Operation Leo, October 2024 (*released on 9 October 2024 – a non-sitting day*) (*Ordered to be published*).

Special Report on Operation Turton, September 2024 (*released on 25 September 2024 – a non-sitting day*) (*Ordered to be published*).

Interpretation of Legislation Act 1984 — Notice under section 32(3)(a)(iii) in relation to Statutory Rule No. 45 (*Gazette G39, 26 September 2024*).

Major Events Act 2009 — Major Sporting Event (2024 to 2026 Melbourne Marathons) Order, dated 8 October 2024, under section 22 of the Act.

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

Ballarat Planning Scheme — Amendment C215.

Baw Baw Planning Scheme — Amendment C148.

Bayside Planning Scheme — Amendment C204.

Buloke Planning Scheme — Amendment C46.

Cardinia Planning Scheme — Amendment C279.

Glen Eira Planning Scheme — Amendment C265.

Glenelg Planning Scheme — Amendment C114.

Kingston Planning Scheme — Amendment C223.

Melbourne Planning Scheme — Amendment C473.

Moyne Planning Scheme — Amendment C69.
Nillumbik Planning Scheme — Amendment C152.
Stonnington Planning Scheme — Amendment C346.
Victoria Planning Provisions — Amendment VC270.
Wyndham Planning Scheme — Amendment C274.
Professional Standards Act 2003 — Law Society of New South Wales Professional Standards Scheme (*Gazette G38, 19 September 2024*).
Road Safety Camera Commissioner — Report, 2023-24.
Statutory Rules under the following Acts of Parliament —
 Building Act 1993 — No. 106.
 Bus Safety Act 2009 — No. 96.
 County Court Act 1958 — No. 88.
 Credit Act 1984 — No. 90.
 Credit (Administration) Act 1984 — No. 91.
 Electricity Industry Act 2000 — No. 104.
 Gas Industry Act 2001 — No. 105.
 Livestock Disease Control Act 1994 — No. 95.
 Local Government Act 2020 — No. 92.
 Planning and Environment Act 1987 — Nos. 100 and 107.
 Road Safety Act 1986 — Nos. 101 and 102.
 Seafood Safety Act 2003 — No. 87.
 Sex Offenders Registration Act 2004 — No. 94.
 Status of Children Act 1974 — No. 103.
 Subordinate Legislation Act 1994 — No. 99.
 Supreme Court Act 1986 — No. 89.
 Transport (Compliance and Miscellaneous) Act 1983 — No. 97.
 Transport (Safety Schemes Compliance and Enforcement) Act 2014 — No. 98.
 Valuation of Land Act 1960 — No. 93.
Subordinate Legislation Act 1994 —
 Documents under section 15 in relation to Statutory Rule Nos. 85, 86, 87, 88, 89, 90, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 104, 105 and 107.
 Legislative instruments and related documents under section 16B in respect of a Declaration of the dingo to be unprotected wildlife under the Wildlife Act 1975.
Victorian Local Government Grants Commission — Allocation Report, year ended 31 August 2024.
Victorian Multicultural Commission — Report, 2023-24.

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

Response from the Minister for Agriculture to petition titled Exempt fishing competitions in animal care and protection legislation (petition No. 546) (presented by Melina Bath on 10 September 2024) (*released on 18 September 2024 – a non-sitting day*).
Response from the Minister for Energy and Resources to petition titled Halt building electrical substation at Ballarat East site (petition No. 569) (presented

by Joe McCracken on 30 July 2024) (*released on 4 October 2024 – a non-sitting day*).

Response from the Minister for Health to petition titled Policy to notify next of kin for high-risk patients (petition No. 565) (presented by Sarah Mansfield on 27 August 2024) (*released on 30 September 2024 – a non-sitting day*).

Response from the Minister for Housing to petition titled Stop wholesale destruction and privatisation of public housing (petition No. 572) (presented by Samantha Ratnam on 1 August 2024) (*released on 18 September 2024 – a non-sitting day*).

Responses from the Minister for Planning to petitions titled —

Halt building electrical substation at Ballarat East site (petition No. 569) (presented by Joe McCracken on 30 July 2024) (*released on 14 October 2024 – a non-sitting day*).

Reject proposed Sunbury Road, Bulla Eco-Hub waste-to-energy incinerator (petition No. 573) (presented by Sarah Mansfield on 10 September 2024) (*released on 10 October 2024 – a non-sitting day*).

Stop plans to build a shipping container transfer hub at Little River (petition No. 577) (presented by David Ettershank on 27 August 2024) (*released on 10 October 2024 – a non-sitting day*).

Response from the Minister for Police to petition titled Boost police presence in Lang Lang (petition No. 582) (presented by Melina Bath on 11 September 2024) (*released on 8 October 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:

Transport Legislation Amendment Act 2023 — Division 1 of Part 2, Division 1 of Part 3, sections 27, 28, 29 and 30 and Division 3 of Part 8 — 1 October 2024 (*Gazette S508, 24 September 2024*).

6 PRODUCTION OF DOCUMENTS — CREDIT ASSESSMENT PRODUCED BY FITCH RATINGS — The Clerk tabled a letter from the Attorney-General, dated 9 October 2024, two documents in full and a schedule of the two documents identified in response to a resolution of the Council on 11 September 2024 (on the motion of Georgie Crozier), relating to the credit assessment produced by Fitch Ratings.

7 BUSINESS OF THE COUNCIL — Aiv Puglielli moved, by leave, That the following general business take precedence on Wednesday, 16 October 2024 —

- (1) notice of motion given this day by Georgie Purcell on transparency in Greyhound Racing Victoria's records;
- (2) notice of motion given this day by David Davis on planning changes for high-rise, high-density zones in municipalities across Melbourne; and
- (3) notice of motion given this day by Moira Deeming on mature minor declaration record keeping.

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. 278 to 562, be postponed until later this day.

10 CRIMINAL ORGANISATIONS CONTROL AMENDMENT BILL 2024 — Debate resumed on the question, That the Bill be now read a second time.

Evan Mulholland (*EM19C*) circulated amendments proposed to be moved during Committee of the whole.

Question — put.

The Council divided — The President in the Chair.

AYES, 32

Ryan Batchelor; Melina Bath; John Berger; Lizzie Blandthorn; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Renee Heath; Ann-Marie Hermans; Shaun Leane; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Tom McIntosh; Evan Mulholland; Rachel Payne; Georgie Purcell; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt; Richard Welch.

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

NOES, 7

Katherine Copsey; Moira Deeming; David Limbrick; Sarah Mansfield; Aiv Puglielli; Samantha Ratnam; Rikkie-Lee Tyrrell.

(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 committed to a Committee of the whole.

House in Committee.

Bill reported with amendments, the Report was adopted.

Jaclyn Symes moved, That the Bill be now read a third time and do pass.

Question — put.

The Council divided — The President in the Chair.

AYES, 29

Ryan Batchelor; Melina Bath; John Berger; Lizzie Blandthorn; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Enver Erdogan; Jacinta Ermacora; Michael Galea; Renee Heath; Ann-Marie Hermans; Shaun Leane; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Tom McIntosh; Evan Mulholland; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney; Sheena Watt; Richard Welch.

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

NOES, 9

Katherine Copsey; David Ettershank; David Limbrick; Sarah Mansfield; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Rikkie-Lee Tyrrell.

(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 with amendments and requesting their agreement.

- 11 CONSTITUTION AMENDMENT (SEC) BILL 2023** — The President read a Message from the Assembly informing the Council that they have agreed to the amendments made by the Council in this Bill.
- 12 BUSINESS POSTPONED** — Ordered — That the consideration of order of the day, government business, No. 2, be postponed until later this day.
- 13 MELBOURNE CONVENTION AND EXHIBITION TRUST AMENDMENT 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.
- 14 ADJOURNMENT** — Gayle Tierney moved, That the House do now adjourn.
 Debate ensued.
 The Council adjourned at 7.11 pm until tomorrow.

ROBERT McDONALD
Clerk of the Legislative Council

No. 87 — Wednesday, 16 October 2024

- 1** The President took the Chair at 9.32 am, read the Prayer and made an Acknowledgement of Country.
- 2 PETITIONS —**
- BOOST POLICE PRESENCE IN LANG LANG** — Melina Bath presented a petition bearing 472 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to provide funding for CCTV cameras as a deterrent to increased crime in Lang Lang, and boost police presence in the town through increased patrols and extended opening hours of the town's police station (*Ordered to be tabled*).
- On the motion of Melina Bath, the petition was ordered to be taken into consideration on the next day of meeting.
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- RESTRICT EMERGENCY MANAGEMENT DAYS FOR VIOLENT AND HIGH-RISK PRISONERS** — Renee Heath presented an electronic petition bearing 3,750 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to, as a matter of urgency, remove the eligibility for violent and high-risk prisoners to access emergency management days and ensure that any sentence reduction due to emergency management days cannot reduce the time served to less than the minimum non-parole sentence (*Ordered to be tabled*).
- On the motion of Renee Heath, the petition was ordered to be taken into consideration on the next day of meeting.
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- RESTRICT EMERGENCY MANAGEMENT DAYS FOR VIOLENT AND HIGH-RISK PRISONERS** — Renee Heath presented a paper petition bearing 2,855 signatures from certain citizens of Victoria requesting that the Legislative Council call on the

Government to, as a matter of urgency, remove the eligibility for violent and high-risk prisoners to access emergency management days and ensure that any sentence reduction due to emergency management days cannot reduce the time served to less than the minimum non-parole sentence (*Ordered to be tabled*).

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

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

Auditor-General — Protecting the Biosecurity of Agricultural Plant Species, October 2024 (*Ordered to be published*).

Subordinate Legislation Act 1994 — Documents under section 15 in relation to Statutory Rule Nos. 92 and 110.

4 MEMBERS' STATEMENTS — Members made statements.

5 PRODUCTION OF DOCUMENTS — MUNICIPAL POPULATION TARGETS AND ACTIVITY CENTRES — David Davis moved, That this House —

(1) notes the announcement by the Allan Labor Government of ten high-rise, high-density designated activity centres, including associated catchment zones, namely —

- (a) Hume City Council (Broadmeadows and Jacana);
- (b) Boroondara City Council (Hawthorn, Hawthorn East, Camberwell, Canterbury, East Camberwell);
- (c) Stonnington, Monash and Glen Eira Councils (Malvern East, Oakleigh, Hughesdale, Murrumbeena, Chadstone);
- (d) Whittlesea City Council (Epping, Mill Park and Lalor);
- (e) Frankston City Council (Frankston and Seaford);
- (f) Bayside, Glen Eira and Kingston City Councils (Bentleigh, Brighton East, Hampton East, Moorabbin and Highett);
- (g) Moonee Valley City Council (Niddrie, Essendon and Airport West);
- (h) Moonee Valley City Council (North Essendon, Essendon and Strathmore);
- (i) Darebin City Council (Preston, Northcote, Thornbury and Reservoir);
- (j) Maroondah and Whitehorse City Councils (Ringwood, Ringwood East, Heathmont, Mitcham and Heatherdale);

(2) further notes the recent declaration by the Allan Labor Government of population growth targets over the next three decades for Victorian municipalities;

(3) requires the Leader of the Government, pursuant to Standing Order 10.01, to table in the Council, within three weeks of the House agreeing to this resolution, advice, briefs, documents, assessments and modelling relied upon by the Minister for Planning and/or the Premier in making their announcement of —

- (a) the municipal population targets; and
- (b) the ten high-density, high-rise activity centres and their associated catchment zones.

Debate ensued.

The 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 — SOCIAL HOUSING REGULATION REVIEW FINAL REPORT — Samantha Ratnam moved, That this House —

- (1) notes that the Social Housing Regulation Review final report was delivered to the Government on 31 May 2022 but still has not been released to the public and the community and affordable housing sectors remain woefully under-regulated; and
- (2) requires the Leader of the Government, pursuant to Standing Order 10.01, to table in the Council, within four weeks of the House agreeing to this resolution, the Social Housing Regulation Review final report.

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 TRANSPARENCY IN GREYHOUND RACING VICTORIA'S RECORDS — Georgie Purcell moved, That this House —

- (1) notes that —
 - (a) only greyhounds that are euthanised by on-track veterinarians or die during a race are recorded as racing fatalities by Greyhound Racing Victoria (GRV);
 - (b) GRV does not breakdown euthanasia data by reason in its annual report;
 - (c) in 2022-23, the industry reported 2,688 retired greyhounds as rehomed of which 1,082 were initially rehomed through the Greyhound Adoption Program (GAP);
 - (d) in 2022-23, 103 positive swabs for a prohibited substance were recorded, an increase from the previous year;
- (2) calls on the Government to include further detail in the GRV annual report, including —
 - (a) all deaths that occur as result of, and within 10 days of, an injury sustained at any race event or trial reported as racing related fatalities and included with the on-track fatality toll;
 - (b) reason for euthanasia of all dogs that die off-track, including in training;
 - (c) a breakdown of non-GAP rehoming figures to include how many dogs are —
 - (i) retained as pets by registered participants;
 - (ii) rehomed as pets by registered participants to non-registered members of the public;
 - (iii) accepted by another rehoming or research agency;
 - (iv) secondarily rehomed by volunteers after being adopted out by GAP or a participant;
 - (v) sent interstate or overseas through Racing to Rehome or other means;
 - (d) how many dogs test positive for each type of prohibited substance; and
- (3) further calls on the Government to consider measures to reduce the use of prohibited substances including the immediacy of hearings and outcomes.

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.

ANSWERS TAKEN INTO CONSIDERATION — On the motion of David Davis, the answers given by Enver Erdogan to questions relating to investigations into assaults against youth justice workers (QwN 690) were ordered to be taken into consideration on the next day of meeting.

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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:

- **Provision of game meat to homeless shelters (QwN 689)** — substantive and supplementary questions asked by Jeff Bourman — response from Jaclyn Symes due Friday, 18 October 2024.
- **Investigations into assaults against youth justice workers (QwN 690)** — substantive and supplementary questions asked by David Davis — response from Enver Erdogan due Thursday, 17 October 2024.

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CONSTITUENCY QUESTIONS — Members asked constituency questions.

9 TRANSPARENCY IN GREYHOUND RACING VICTORIA'S RECORDS — Debate continued on the question, That this House —

- (1) notes that —
 - (a) only greyhounds that are euthanised by on-track veterinarians or die during a race are recorded as racing fatalities by Greyhound Racing Victoria (GRV);
 - (b) GRV does not breakdown euthanasia data by reason in its annual report;
 - (c) in 2022-23, the industry reported 2,688 retired greyhounds as rehomed of which 1,082 were initially rehomed through the Greyhound Adoption Program (GAP);
 - (d) in 2022-23, 103 positive swabs for a prohibited substance were recorded, an increase from the previous year;
- (2) calls on the Government to include further detail in the GRV annual report, including —
 - (a) all deaths that occur as result of, and within 10 days of, an injury sustained at any race event or trial reported as racing related fatalities and included with the on-track fatality toll;
 - (b) reason for euthanasia of all dogs that die off-track, including in training;
 - (c) a breakdown of non-GAP rehoming figures to include how many dogs are —
 - (i) retained as pets by registered participants;
 - (ii) rehomed as pets by registered participants to non-registered members of the public;
 - (iii) accepted by another rehoming or research agency;
 - (iv) secondarily rehomed by volunteers after being adopted out by GAP or a participant;
 - (v) sent interstate or overseas through Racing to Rehome or other means;
 - (d) how many dogs test positive for each type of prohibited substance; and
- (3) further calls on the Government to consider measures to reduce the use of prohibited substances including the immediacy of hearings and outcomes.

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, 23

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

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

NOES, 14

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

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

Question agreed to.

10 CRIMINAL ORGANISATIONS CONTROL AMENDMENT BILL 2024 — The President read a Message from the Assembly informing the Council that they have agreed to the amendments made by the Council in this Bill.

11 PLANNING CHANGES FOR HIGH-RISE, HIGH-DENSITY ZONES IN MUNICIPALITIES ACROSS MELBOURNE — David Davis moved, That this House —

(1) notes —

- (a) the extraordinary population targets unilaterally announced for Victorian municipalities by the Allan Labor Government;
- (b) the 10 planned high-rise, high-density zones declared by Labor without consultation, including so-called ‘catchment zones’ over huge swathes of residential and often heritage listed suburbs, proposed to have six storey development approval;
- (c) the removal of significant planning powers from municipal councils and local communities and the curtailment of third-party appeal rights; and

(2) calls on the Allan Labor Government to undertake proper consultation with affected councils and communities, to their satisfaction, on its announced plans for 10 high-rise, high-density zones, namely Hume, Boroondara, Stonnington, Monash, Glen Eira, Whittlesea, Frankston, Kingston, Bayside, Moonee Valley, Darebin, Maroondah and Whitehorse.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 12

Melina Bath; Jeff Bourman; Gaele Broad; Georgie Crozier; David Davis; Renee Heath; Ann-Marie Hermans; Wendy Lovell; Bev McArthur; Joe McCracken; 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; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; David Limbrick; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney.

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

Question negated.

12 MATURE MINOR DECLARATION RECORD KEEPING — Moira Deeming moved, That this House —

- (1) notes the Department of Education's 'Duty of Care' policy affirms the importance of harm minimisation when caring for children and adolescents;
- (2) affirms that children and adolescents have the right to access accurate records relating to their own mature minor declarations;
- (3) calls on the Government to mandate the creation of official records for declarations of mature minor status in Victoria, including but not limited to —
 - (a) details of the child/adolescent being declared, their parents or legal guardian, the adult, employee or officer making the declaration, and all others involved in the process;
 - (b) all information relevant to the mature minor status decision, including the specific purpose the status was granted and the reason for determining sufficient maturity and intelligence to understand the decision, including, if possible —
 - (i) knowledge of and conversations with the child/adolescent;
 - (ii) medical and psychological history;
 - (iii) living arrangements and independence;
 - (iv) academic results and school reports;
 - (v) views of named members of the leadership team, teachers, school welfare staff, support services staff or external health professionals treating or working with the child/adolescent;
 - (vi) whether another professional has decided the child/adolescent is capable of making other decisions;
 - (vii) whether the child/adolescent will inform their parents/carers before making the decision;
 - (viii) whether it is in their best interest to make the decision with or without their parents/carers consent; and
- (4) requires these records be stored permanently, accessible upon request by any person who was declared a mature minor as a child or adolescent.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 15

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney.

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

Question negated.

Business interrupted at 5.18 pm, pursuant to Sessional Orders.

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

Wendy Lovell, by leave, tabled a community petition on housing developments at Riddells Creek.

14 PETITIONS (QUALIFYING FOR DEBATE) — STOP PLANS TO BUILD A SHIPPING CONTAINER TRANSFER HUB AT LITTLER RIVER — David Ettershank moved, That the petition be taken into consideration.

Debate ensued.

Question — put and agreed to.

15 PRODUCTION OF DOCUMENTS — OVERDUE PRODUCTION OF DOCUMENTS ORDERS — 2026 COMMONWEALTH GAMES BID — Pursuant to a resolution of the Council on 11 September 2024, David Limbrick moved, That this House notes the failure of the Leader of the Government to comply with Standing Orders in relation to the resolution of the Council on 1 May 2024 for the request for documents relating to the 2026 Commonwealth Games bid.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 20

Melina Bath; Jeff Bourman; Gaelle Broad; Katherine Copsey; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Sarah Mansfield; Bev McArthur; Joe McCracken; Evan Mulholland; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; 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; David Ettershank; Shaun Leane; Tom McIntosh; Rachel Payne; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Sonja Terpstra; Gayle Tierney.

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

Question agreed to.

16 ADJOURNMENT — Lizzie Blandthorn moved, That the House do now adjourn.

Debate ensued.

The Council adjourned at 7.32 pm until tomorrow.

ROBERT McDONALD
Clerk of the Legislative Council

No. 88 — Thursday, 17 October 2024

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

2 THE LATE NOEL PULLEN — The President advised the House of the death, on 23 August 2024, of Noel Francis Pullen, Member of the Legislative Council for the Electoral Province of Higinbotham from 2002 to 2006.

Members rose in their places as a mark of respect to the memory of the late Noel Pullen.

3 PETITIONS —

RESTORE THE NEWHAVEN JETTY — Melina Bath presented a paper petition bearing 2,424 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to commit to providing full funding to upgrade and fix the Newhaven Jetty and communicate a timeline for its reopening to public access (*Ordered to be tabled*).

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

* * * * *

RESTORE THE NEWHAVEN JETTY — Melina Bath presented an electronic petition bearing 1,163 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to commit to providing full funding to upgrade and fix the Newhaven Jetty and communicate a timeline for its reopening to public access (*Ordered to be tabled*).

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

Auditor-General — Responses to Performance Engagement Recommendations: Annual Status Update 2024, October 2024 (*Ordered to be published*).

Melbourne Cricket Ground Trust — Report, year ended 31 March 2024.

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the Inquiry into the 2021-22 and 2022-23 financial and performance outcomes.

SEC Energy Pty Ltd — Report, 26 October 2023 to 30 June 2024.

SEC Infrastructure Pty Ltd — Report, 26 October 2023 to 30 June 2024.

SEC Victoria Pty Ltd — Report, 25 October 2023 to 30 June 2024.

Statutory Rules under the following Acts of Parliament —

Borrowing and Investment Powers Act 1987 — No. 111.

Royal Botanic Gardens Act 1991 — No. 110.

Subordinate Legislation Act 1994 — No. 108.

Treasury Corporation of Victoria Act 1992 — No. 112.

Victorian Energy Efficiency Target Act 2007 — No. 109.

Subordinate Legislation Act 1994 — Documents under section 15 in relation to Statutory Rule Nos. 81 and 106.

- 5 SITTING OF THE COUNCIL** — Gayle Tierney moved, That the Council, at its rising, adjourn until Tuesday, 29 October 2024.

Question — put and agreed to.

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

- 7 BUSINESS POSTPONED** — Ordered — That the consideration of notices of motion, government business, Nos. 278 to 642, be postponed until later this day.

- 8 HEALTH LEGISLATION AMENDMENT (REGULATORY REFORM) BILL 2024** — Debate resumed on the question, That the Bill be now read a second time.

Georgie Crozier (GC62C) circulated an amendment proposed to be moved during Committee of the whole.

Sarah Mansfield moved, as a reasoned amendment, That all the words after “That” be omitted and replaced with “this House refuses to read this Bill a second time until an expert panel comprised of representatives from the legal sector, specialist counsellors, people with lived experience of donor conception and assisted reproductive technology, and people with other relevant expertise has examined the implications of the dissolution of the Victorian Assisted Reproductive Treatment Authority and that the findings of this panel are tabled in both Houses.”.

Debate ensued.

Business interrupted at 12.00 noon.

- 9 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:

- **TAFE program enrolment numbers (QwN 695)** — supplementary question asked by Nick McGowan — response from Gayle Tierney due Monday, 21 October 2024.
- **Avian influenza outbreak – use of firefighting foam (QwN 698)** — substantive and supplementary questions asked by Georgie Purcell — response from Jaclyn Symes due Monday, 21 October 2024.
- **Triple Zero Victoria logo (QwN 699)** — supplementary question asked by Georgie Crozier — response from Jaclyn Symes due Monday, 21 October 2024.

* * * * *

CONSTITUENCY QUESTIONS — Members asked constituency questions.

- 10 HEALTH LEGISLATION AMENDMENT (REGULATORY REFORM) BILL 2024** — Debate continued on the question, That the Bill be now read a second time — and on the reasoned amendment moved by Sarah Mansfield — That all the words after “That” be omitted and replaced with “this House refuses to read this Bill a second time until an expert panel comprised of representatives from the legal sector, specialist counsellors, people with lived experience of donor conception and assisted reproductive technology, and people with other relevant expertise has examined the implications

of the dissolution of the Victorian Assisted Reproductive Treatment Authority and that the findings of this panel are tabled in both Houses.”.

Question — That the reasoned amendment moved by Sarah Mansfield be agreed to — put.

The Council divided — The President in the Chair.

AYES, 7

Katherine Copsey; David Ettershank; Sarah Mansfield; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam.

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

NOES, 30

Ryan Batchelor; Melina Bath; John Berger; Lizzie Blandthorn; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Enver Erdogan; Jacinta Ermacora; Michael Galea; Renee Heath; Ann-Marie Hermans; Shaun Leane; David Limbrick; Wendy Lovell; Bev McArthur; Joe McCracken; Nick McGowan; Tom McIntosh; Evan Mulholland; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Gayle Tierney; Rikkie-Lee Tyrrell; Sheena Watt; Richard Welch.

(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.

Bill reported with an 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, 30

Ryan Batchelor; Melina Bath; John Berger; Lizzie Blandthorn; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Enver Erdogan; Jacinta Ermacora; Michael Galea; Renee Heath; Ann-Marie Hermans; Shaun Leane; David Limbrick; Wendy Lovell; Bev McArthur; Joe McCracken; Nick McGowan; Tom McIntosh; Evan Mulholland; Harriet Shing; Adem Somyurek; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; Gayle Tierney; Rikkie-Lee Tyrrell; Sheena Watt; Richard Welch.

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

NOES, 7

Katherine Copsey; David Ettershank; Sarah Mansfield; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam.

(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 with an amendment and requesting their agreement.

- 11 SHORT STAY LEVY BILL 2024** — Debate resumed on the question, That the Bill be now read a second time.

Evan Mulholland (*EM20C*) circulated amendments proposed to be moved during Committee of the whole.

Question — put.

The Council divided — The President in the Chair.

AYES, 21

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

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

NOES, 17

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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.

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 Jaclyn Symes, 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.

Jaclyn Symes moved, That the Bill be now read a third time and do pass.

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

The Council divided — The President in the Chair.

AYES, 21

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

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

NOES, 15

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Council.

Question — That the Bill do pass — put.

The Council divided — The President in the Chair.

AYES, 21

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

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

NOES, 15

Melina Bath; Gaelle Broad; Georgie Crozier; David Davis; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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.

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

- 12 HEALTH LEGISLATION AMENDMENT (REGULATORY REFORM) BILL 2024** — 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.

- 13 BUILDING LEGISLATION AMENDMENT AND OTHER MATTERS BILL 2024** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Building Act 1993, the Architects Act 1991 and the Victorian Planning Authority Act 2017 and for other purposes* and requesting the agreement of the Council.

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

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

Gayle Tierney moved, That the Bill be now read a second time.

Gayle Tierney incorporated the second reading speech in Hansard.

On the motion Georgie Crozier, the debate was adjourned for one week.

- 14 DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (PILL TESTING) BILL 2024** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Drugs, Poisons and Controlled Substances Act 1981 in relation to drug-checking services and opioid overdose and for other purposes* and requesting the agreement of the Council.

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

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

Gayle Tierney moved, That the Bill be now read a second time.

Gayle Tierney incorporated the second reading speech in Hansard.

On the motion of Georgie Crozier, the debate was adjourned for one week.

- 15 OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2024** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Offshore Petroleum and Greenhouse Gas Storage Act 2010 in relation to petroleum*

production licences and for other purposes and requesting the agreement of the Council.

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

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

Gayle Tierney moved, That the Bill be now read a second time.

Gayle Tierney incorporated the second reading speech in Hansard.

On the motion of Georgie Crozier (for David Davis), the debate was adjourned for one week.

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

Debate ensued.

The Council adjourned at 7.22 pm until Tuesday, 29 October 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. 86, 87 and 88

CRIMINAL ORGANISATIONS CONTROL AMENDMENT BILL 2024

Committed Tuesday, 15 October 2024

Amendments circulated: Evan Mulholland (EM19C) (p. 778)

Clauses 1 to 109 — put and agreed to.

Clause 110 — Evan Mulholland moved amendment No. 1 (*EM19C*).

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

Evan Mulholland moved amendment No. 2 (*EM19C*).

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

Clause 110, as amended — put and agreed to.

Clauses 111 to 116 — put and agreed to.

Bill reported with amendments.

* * * * *

HEALTH LEGISLATION AMENDMENT (REGULATORY REFORM) BILL 2024

Committed Thursday, 17 October 2024

Amendments circulated: Georgie Crozier (GC62C) (p. 778)

Clauses 1 to 78 — put and agreed to.

New Clause 78A — Georgie Crozier moved amendment No. 1 (*GC62C*).

Question — That New Clause 78A stand part of the Bill — put and agreed to.

Clauses 79 to 120 — put and agreed to.

Bill reported with an amendment.

SHORT STAY LEVY BILL 2024

Committed Thursday, 17 October 2024

Amendments circulated: Evan Mulholland (EM20C) (pp. 778-80)

Clauses 1 and 2 — put and agreed to.

Clause 3 — Evan Mulholland moved amendment No. 1 (EM20C).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 17

Melina Bath; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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, 21

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

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

Question negated.

Evan Mulholland moved amendment Nos. 2 and 3 (EM20C).

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; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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, 21

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

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

Question negated.

Clause 3 — put and agreed to.

Clause 4 — put and agreed to.

Clause 5 — Evan Mulholland moved amendment No. 4 (*EM20C*).

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; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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, 21

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

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

Question negatived.

Evan Mulholland moved amendment Nos. 5 and 6 (*EM20C*).

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; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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, 21

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

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

Question negatived.

Clause 5 — put and agreed to.

Clause 6 — put and agreed to.

Clause 7 — Evan Mulholland moved amendment Nos. 7 to 9 (*EM20C*).

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; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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, 21

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

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

Question negatived.

Clause 7 — put and agreed to.

Clauses 8 to 20 — put and agreed to.

Clause 21 — Evan Mulholland moved amendment No. 11 (*EM20C*).

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; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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, 21

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

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

Question negatived.

Clause 21 — put and agreed to.

Clauses 22 to 31 — put and agreed to.

Clause 32 — Question — That clause 32 stand part of the Bill — put.

The Committee divided — The Deputy President in the Chair.

AYES, 21

Ryan Batchelor; John Berger; Lizzie Blandthorn; Katherine Copsey; Enver Erdogan; Jacinta Ermacora; David Ettershank; Michael Galea; Shaun Leane; Sarah Mansfield; Tom McIntosh; Rachel Payne; Aiv Puglielli; Georgie Purcell; Samantha Ratnam; Harriet Shing; Ingrid Stitt; Jaclyn Symes; Lee Tarlamis; 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; Jeff Bourman; Gaelle Broad; Georgie Crozier; David Davis; Moira Deeming; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; 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)

Question agreed to.

Clauses 33 and 34 — put and agreed to.

Bill reported without amendment.

AMENDMENTS CIRCULATED IN RELATION TO —

1. CRIMINAL ORGANISATIONS CONTROL AMENDMENT BILL 2024

Amendments circulated by Evan Mulholland (EM19C)

1. Clause 110, page 122, line 27, omit "one year" and insert "six months".
2. Clause 110, page 123, line 7, omit "31 December following".

2. HEALTH LEGISLATION AMENDMENT (REGULATORY REFORM) BILL 2024

Amendments circulated by Georgie Crozier (GC62C)

NEW CLAUSE

1. Insert the following New Clause to follow clause 78—

'78A New section 123A inserted

After section 123 of the **Assisted Reproductive Treatment Act 2008** insert—

"123A Review of operation of this Act as amended by the Health Legislation Amendment (Regulatory Reform) Act 2024

- (1) The Minister must cause a review of the operation of this Act, as amended by Part 2 of the **Health Legislation Amendment (Regulatory Reform) Act 2024**, to be commenced after the third anniversary of the day on which Part 2 of the **Health Legislation Amendment (Regulatory Reform) Act 2024** comes into operation.
- (2) The Minister must cause a copy of a report of the review to be laid before each House of the Parliament no later than the fourth anniversary of the day on which Part 2 of the **Health Legislation Amendment (Regulatory Reform) Act 2024** comes into operation."

3. SHORT STAY LEVY BILL 2024

Amendments circulated by Evan Mulholland (EM20C)

1. Clause 3, after line 10 insert—

"disability has the same meaning as it has in section 4(1) of the **Disability Service Safeguards Act 2018**;

family violence has the same meaning as it has in section 5 of the **Family Violence Protection Act 2008**;"
2. Clause 3, after line 13 insert—

"house has the same meaning as it has in section 4(1) of the **Housing Act 1983**;"

3. Clause 3, page 3, after line 9 insert—

"rural and regional Victoria has the same meaning as it has in section 3(1) of the **Regional Development Victoria Act 2002**;"

4. Clause 5, lines 31 and 32, omit "commercial residential premises within the meaning of" and insert "premises described in paragraph (a), (b), (c), (d), (da) or (e) of the definition of **commercial residential premises** in".

5. Clause 5, page 5, line 24, omit "facility." and insert "facility;"

6. Clause 5, page 5, after line 24 insert—

"(j) premises located on land that is exempt under section 54(1) of the **Land Tax Act 2005** from land tax imposed under that Act."

7. Clause 7, page 7, line 3, omit "booking." and insert "booking; and".

8. Clause 7, page 7, after line 3 insert—

"(c) any amount included in respect of the short stay levy; and
(d) any amount included in respect of GST."

9. Clause 7, page 7, lines 5 to 12, omit all words and expressions on these lines and insert "for a short stay booking includes any amount payable for any period during which the person does not occupy the premises, unless that amount is waived or provided as a credit or refund."

10. Clause 7, page 7, after line 12 insert—

"(3) The total booking fee for a short stay booking does not include an amount payable for a short stay that is exempt under section 21A from liability for the short stay levy."

11. Clause 21, page 16, line 18, after "accommodation" insert "and the booking platform provider had reasonable grounds to believe the declaration was false or misleading in a material particular".

NEW CLAUSE

12. Insert the following New Clause to follow clause 21—

"21A Exemption from liability for short stay levy

A short stay in short stay accommodation is exempt from liability for the short stay levy if the person who occupies the short stay accommodation under the short stay booking is—

- (a) a person who has a disability; or
- (b) occupying the accommodation because of a perceived threat to the person's safety or physical or mental health, including a threat of family violence against the person; or

- (c) occupying the accommodation to enable the person or a carer of the person to attend a medical appointment or obtain medical treatment."

NEW CLAUSE

13. Insert the following New Clause to follow clause 22—

"22A Review of this Act

- (1) The Treasurer must cause a review to be conducted of the operation of this Act.
- (2) The review must be commenced on or after 1 January 2026 and before 1 July 2026.
- (3) The review must be completed no later than 31 December 2026.
- (4) The review must include an analysis of the impact of this Act on—
 - (a) the number of houses that are available in Victoria for—
 - (i) renting under a residential rental agreement; and
 - (ii) purchase under a contract of sale; and
 - (b) the total amount of dollars spent on tourism in Victoria and in rural and regional Victoria during the following periods—
 - (i) 1 January 2025 to 30 June 2025; and
 - (ii) 1 July 2025 to 31 December 2025.
- (5) The Treasurer must cause a copy of the review to be laid before each House of Parliament no later than 14 sitting days after receiving it."

14. Clause 32, omit this clause.