



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 188 — Wednesday, 23 September 2026

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- 1 The President took the Chair at 9.32 am, read the Prayer and made an Acknowledgement of Country.
 - 2 **PAPERS PRESENTED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following papers:
 - Auditor-General — Preventing Youth Crime, September 2026 (*Ordered to be published*).
 - Planning and Environment Act 1987 — Notices of approval of the —
 - Kingston Planning Scheme — Amendment C232.
 - Melbourne Planning Scheme — Amendment C479.
 - Port of Melbourne Planning Scheme — Amendment C7.
 - Port Phillip Planning Scheme — Amendment C235.
 - Surf Coast Planning Scheme — Amendment C151.
 - 3 **MEMBERS' STATEMENTS** — Members made statements.
 - 4 **LIABILITY FOR CLIMATE CHANGE DAMAGE (MAKE POLLUTERS PAY) BILL 2026** — Sarah Mansfield laid on the Table statements of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006* and the *Statewide Treaty Act 2025*.

Sarah Mansfield moved, That the Bill be now read a second time.

On the motion of Lee Tarlamis, the debate was adjourned for two weeks.
 - 5 **PRODUCTION OF DOCUMENTS — HEALTH SERVICES PERFORMANCE DATA** — Georgie Crozier moved, That this House —
 - (1) notes the —
 - (a) failure of the Carroll Labor Government to publicly release the quarterly health services performance data from the Victorian Agency for Health Information (VAHI), and Ambulance Victoria response time data for the April to June 2026 quarter, more than 80 days since the end of the quarter;
 - (b) lack of transparency in the Government's failure to provide timely publication of Victoria's vital health data that measures key indicators of how the health system is working;

- (2) in accordance with Standing Order 10.01, requires the Leader of the Government to table in the Council, within seven days of the House agreeing to this resolution —
 - (a) all health services performance data from VAHI for the quarter ending 30 June 2026, including —
 - (i) ambulance services;
 - (ii) dental care;
 - (iii) emergency care;
 - (iv) hospital admission and discharge;
 - (v) mental health;
 - (vi) patient experience;
 - (vii) planned surgery;
 - (viii) quality and safety;
 - (ix) safety culture;
 - (x) specialist clinics; and
 - (b) all briefings, correspondence and other documents provided to the Minister for Health, or her office, in relation to the health services performance data for the quarter ending 30 June 2026.

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 — REVIEW OF THE VICTORIAN HIV PLAN 2022-30 —

Aiv Puglielli moved, That this House —

- (1) notes that —
 - (a) Victoria has an historic opportunity to become one of the first places in the world to virtually eliminate HIV transmission;
 - (b) the Melbourne HIV Consensus Statement 2026 was launched last week at the Australasian HIV&AIDS Conference and is supported by community-controlled organisations and world-leading researchers and clinicians;
 - (c) this Statement called for the Victorian HIV plan mid-point review to be publicly released, a report which is now considered overdue;
 - (d) to achieve the aim of virtually eliminating HIV by 2030 we must be able to track progress towards this goal, for which this report is critical;
- (2) in accordance with Standing Order 10.01, requires the Leader of the Government to table in the Council, within 30 days of the House agreeing to this resolution, the overdue 2025-26 mid-point review of the Victorian HIV plan 2022-30.

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 ROAD MAINTENANCE — Bev McArthur moved, That this House notes —

- (1) that the Auditor-General's report titled *Maintaining State Roads* found that "the overall condition of Victoria's State roads is deteriorating", with 48 per cent of State roads in poor or very poor condition in 2024, up from 39 per cent in 2021;

- (2) the Auditor-General's finding that Victoria's road maintenance backlog is large and growing, funding is insufficient, the Department of Transport and Planning has no meaningful targets and limited assurance over the quality of works, and one in eight inspected works were defective and needed rework;
 - (3) that the Hon. Ben Carroll MP, served as Minister for Roads and Road Safety from June 2020 to December 2022, during which time road asset management funding fell from \$953.8 million in 2020-21 to \$760.1 million in 2021-22;
- and calls on the Government to publish road condition, backlog and repair data and regional maintenance allocations and timetables, and explain how it will arrest the deterioration of roads identified by the Auditor-General.

Debate ensued.

Business interrupted at 12.00 noon, pursuant to an order of the Council on 22 September 2026.

8 QUESTION TIME —

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

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ANSWERS TAKEN INTO CONSIDERATION — On the motion of Georgie Crozier, the answers given by Ingrid Stitt to questions relating to The Royal Children's Hospital emergency department (QwN 1496) 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:

- **Licensed firearm owners (QwN 1493)** — substantive and supplementary questions asked by Jeff Bourman — response from Jaclyn Symes due Monday, 28 September 2026.
- **Data centre regulation (QwN 1497)** — substantive and supplementary questions asked by David Ettershank — response from Enver Erdogan due Monday, 28 September 2026.

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CONSTITUENCY QUESTIONS — Members asked constituency questions.

9 ROAD MAINTENANCE — Debate continued on the question, That this House notes —

- (1) that the Auditor-General's report titled *Maintaining State Roads* found that "the overall condition of Victoria's State roads is deteriorating", with 48 per cent of State roads in poor or very poor condition in 2024, up from 39 per cent in 2021;
- (2) the Auditor-General's finding that Victoria's road maintenance backlog is large and growing, funding is insufficient, the Department of Transport and Planning has no meaningful targets and limited assurance over the quality of works, and one in eight inspected works were defective and needed rework;
- (3) that the Hon. Ben Carroll MP, served as Minister for Roads and Road Safety from June 2020 to December 2022, during which time road asset management funding fell from \$953.8 million in 2020-21 to \$760.1 million in 2021-22;

and calls on the Government to publish road condition, backlog and repair data and regional maintenance allocations and timetables, and explain how it will arrest the deterioration of roads identified by the Auditor-General.

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

Question — put and agreed to.

10 LOCAL GOVERNMENT LEGISLATION AMENDMENT (STRONGER COMMUNITIES)

BILL 2026 — The Acting 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 WORKPLACE LEGISLATION AMENDMENT (ACCIDENT COMPENSATION AND OTHER MATTERS) BILL 2026 — Pursuant to Standing Order 14.34, the Acting President

announced receipt of a report from the Clerk notifying of the following corrections in the schedule of amendments made by the Council to this Bill:

In Amendment No. 21 which inserts a new section 620C into a Principal Act, there are two sub-section (3)'s. The second (3) and the remaining sub-sections in that new section have been renumbered accordingly.

In Amendment No. 30 which inserts a New Part, a single quote has been inserted at the end of the inserted Part 17.3A heading to ensure the text from that amendment is inserted in the correct place.

12 PRODUCTION OF DOCUMENTS — OVERDUE PRODUCTION OF DOCUMENTS ORDERS —

Bev McArthur moved, That this House —

- (1) notes that the Council has afforded the Government substantial time to comply with production of documents orders, and as at Tuesday, 22 September 2026 —
 - (a) 46 orders for the production of documents remain outstanding past their due date without any substantive response, other than claims of insufficient time;
 - (b) of the 1,535 documents identified, 630 have been withheld in full;
- (2) requires the Leader of the Government to cause all documents required by the resolutions identified in paragraph (1), together with any returns required by Standing Orders 10.02 and 10.03, to be delivered to the Clerk by 9.30 am on Thursday, 24 September 2026;
- (3) permits that, in the event that paragraph (2) is not complied with, the Council will, at the conclusion of formal business on Thursday, 24 September 2026 —
 - (a) give precedence for a non-government member to move, without leave, “That this House —
 - (i) finds the Leader of the Government guilty of a contempt of the Council for failing, on behalf of the Government, to comply with resolutions of the Council requiring the production of documents;
 - (ii) suspends Standing Order 8.04(3) relating to statements by Ministers, for the remainder of the sitting day; and
 - (iii) refers the Leader of the Government to the Privileges Committee to consider further sanctions.”; and
 - (b) the question will be put forthwith and decided without amendment, adjournment or debate.

Debate ensued.

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, 24

Melina Bath; Jeff Bourman; Gaelle Broad; Katherine Copsey; Georgie Crozier; David Davis; Moira Deeming; David Ettershank; Anasina Gray-Barberio; Renee Heath; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Sarah Mansfield; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rachel Payne; Aiv Puglielli; Georgie Purcell; 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.

13 PROTECTION OF CHILDREN IN RELATION TO COMMERCIAL SEXUAL SERVICES —

Moira Deeming moved, That this House —

(1) notes that —

- (a) a child cannot consent to commercial sexual exploitation;
- (b) the *Crimes Act 1958* describes a child as a ‘provider’ or ‘client’ of commercial sexual services;
- (c) Victoria no longer has a clear rule that a child must not be present where those services are taking place;

(2) calls on the Government to amend legislation so that —

- (a) a child is described as a victim of commercial sexual exploitation, not as a participant in the sex industry;
- (b) any purported consent or willingness of the child is irrelevant; and
- (c) it is an offence to conduct in-person commercial sexual services where a child is present, including in a private home.

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; Ann-Marie Hermans; David Limbrick; Wendy Lovell; Trung Luu; Bev McArthur; Joe McCracken; Nick McGowan; Evan Mulholland; Rikkie-Lee Tyrrell; Richard Welch.

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

NOES, 22

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

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

Question negatived.

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

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

16 PETITIONS (QUALIFYING FOR DEBATE) — CANCEL THE DELBURN WIND FARM — Melina Bath moved, That the petition be taken into consideration.

Debate ensued.

Question — put and agreed to.

17 VALEDICTORY STATEMENTS — Shaun Leane, Wendy Lovell and Joe McCracken made valedictory statements.

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

Debate ensued.

The Council adjourned at 8.45 pm until tomorrow.

ROBERT McDONALD
Clerk of the Legislative Council