

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 87, 88 and 89

No 87 — Tuesday 27 August 2024

The House started at 12.00 noon.

- 1 The House met according to the resolution of the House on 15 August 2024 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SHORT STAY LEVY BILL 2024** — Danny Pearson introduced ‘A Bill for an Act to impose a levy in relation to the provision of short stay accommodation, to amend the **Owners Corporations Act 2006** and the **Taxation Administration Act 1997** and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

3 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Gary Maas, Chair, tabled the Alert Digest No 11 of 2024 from the Scrutiny of Acts and Regulations Committee on the:

Government Construction Projects Integrity Bill 2024
Health Legislation Amendment (Regulatory Reform) Bill 2024
Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024
Roads and Road Safety Legislation Amendment Bill 2024
State Civil Liability (Police Informants) Bill 2024
Youth Justice Bill 2024
Youth Justice Bill 2024 (House Amendments)

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled:

Australian Criminal Intelligence Commission, Board of — Chair report 2022–23

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 55 (*Gazette G33, 15 August 2024*)

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by Members of the Legislative Assembly — Ordinary returns 1 February to 30 June 2024 (two volumes) — Ordered to be published

Ombudsman — Annual Plan 2024–25 — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

East Gippsland — C168
 Greater Geelong — C471
 Latrobe — C142
 Melbourne — C438
 Port of Melbourne — C6
 South Gippsland — C119
 Victoria Planning Provisions — VC262
 Yarra — C286

Statutory Rules under the following Acts:

Health Services Act 1988 — SR 77
Magistrates' Court Act 1989 — SR 74
National Parks Act 1975 — SR 76
Sale of Land Act 1962 — SR 75

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 74, 75, 76, 77, 78, 79
 Documents under s 16B in relation to the *Education and Training Reform Act 2006* — Ministerial Order No 1452 — Fees for Services Provided to Children in Government Early Learning Centres

Victorian Information Commissioner, Office of (OVIC) — Public Interest Determination under the *Privacy and Data Protection Act 2014*.

DOCUMENT TABLED UNDER A RESOLUTION OF THE HOUSE — The Clerk tabled the Parliamentary Integrity Adviser — Report 2023–24.

- 4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Youth Justice Bill 2024 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 5 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 20 August 2024, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Parliamentary Workplace Standards and Integrity Bill 2024
 State Sporting Legislation Amendment Bill 2024.

- 6 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Health Legislation Amendment (Regulatory Reform) Bill 2024

Roads and Road Safety Legislation Amendment Bill 2024.

7 FINANCIAL AUDIT OF THE VICTORIAN AUDITOR-GENERAL'S OFFICE — Motion made, by leave, and question — That:

(1) Under s 79 of the *Audit Act 1994*, Andrew Wehrens of Nexia Melbourne Audit be appointed for a period of four years:

(a) to conduct the financial audits of the Victorian Auditor-General's Office for the financial years 2024–25 to 2027–28;

(b) in accordance with the Terms, Conditions and Specifications set out in the Request for Tender issued on 11 June 2024; and

(c) at the fixed fees of:

(i) \$40,000 (plus GST) for audit services for the year ending 30 June 2025;

(ii) \$41,000 (plus GST) for audit services for the year ending 30 June 2026;

(iii) \$42,000 (plus GST) for audit services for the year ending 30 June 2027;

(iv) \$43,000 (plus GST) for audit services for the year ending 30 June 2028.

(2) A message be sent to the Legislative Council requesting their agreement —

(*Mary-Anne Thomas*) — put and agreed to.

8 GOVERNMENT BUSINESS PROGRAM — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on 29 August 2024:

Melbourne Convention and Exhibition Trust Amendment Bill 2024

Residential Tenancies and Funerals Amendment Bill 2024

Health Legislation Amendment (Regulatory Reform) Bill 2024 —

(*Mary-Anne Thomas*) — after debate, put.

The House divided (the Speaker, Maree Edwards, in the Chair) —

AYES 53

Juliana Addison; Jacinta Allan; Colin Brooks; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Anthony Cianflone; Sarah Connolly; Chris Couzens; Jordan Crugnale; Lily D'Ambrosio; Daniela De Martino; Steve Dimopoulos; Paul Edbrooke; Matt Fregon; Ella George; Luba Grigorovitch; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Martha Haylett; Mathew Hilakari; Melissa Horne; Natalie Hutchins; Lauren Kathage; Sonya Kilkenny; Nathan Lambert; Gary Maas; Alison Marchant; Kathleen Matthews-Ward; Steve McGhie; Paul Mercurio; John Mullahy; Tim Pallas; Danny Pearson; Pauline Richards; Tim Richardson; Michaela Settle;

Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Nina Taylor; Kat Theophanous; Mary-Anne Thomas; Emma Vulin; Iwan Walters; Vicki Ward; Dylan Wight; Gabrielle Williams; Belinda Wilson.

NOES 27

Brad Battin; Jade Benham; Roma Britnell; Tim Bull; Martin Cameron; Annabelle Cleeland; Chris Crewther; Wayne Farnham; Sam Groth; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; James Newbury; Danny O'Brien; Michael O'Brien; Kim O'Keeffe; John Pesutto; Brad Rowswell; David Southwick; Bill Tilley; Bridget Vallence; Peter Walsh; Kim Wells; Nicole Werner; Jess Wilson.

Question agreed to.

9 **STATEMENTS BY MEMBERS** — Members made statements.

10 **POSTPONEMENT OF NOTICE OF MOTION** — Ordered — That the consideration of Government Business, Notice of Motion, No 1 be postponed until later this day.

11 **YOUTH JUSTICE BILL 2024** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Anthony Carbines*) — and, after debate —

Business interrupted at 2.00 pm under sessional orders.

12 **QUESTION TIME.**

13 **CONSTITUENCY QUESTIONS.**

14 **YOUTH JUSTICE BILL 2024** — Debate continued on question — That the amendments be agreed to.

Motion made and question — That the question be now put (*Steve Dimopoulos*) — put.

The House divided (the Speaker, Maree Edwards, in the Chair) —

AYES 56

Juliana Addison; Jacinta Allan; Colin Brooks; Josh Bull; Anthony Carbines; Ben Carroll; Anthony Cianflone; Sarah Connolly; Chris Couzens; Jordan Crugnale; Lily D'Ambrosio; Daniela De Martino; Gabrielle de Vietri; Steve Dimopoulos; Paul Edbrooke; Matt Fregon; Ella George; Luba Grigorovitch; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Martha Haylett; Sam Hibbins; Mathew Hilakari; Melissa Horne; Natalie Hutchins; Lauren Kathage; Sonya Kilkenny; Nathan Lambert; Gary Maas; Alison Marchant; Kathleen Matthews-Ward; Steve McGhie; Paul Mercurio; John Mullahy; Tim Pallas; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Nina Taylor; Kat Theophanous; Mary-Anne Thomas; Emma Vulin; Iwan Walters; Vicki Ward; Dylan Wight; Gabrielle Williams; Belinda Wilson.

NOES 27

Brad Battin; Jade Benham; Roma Britnell; Martin Cameron; Annabelle Cleeland; Chris Crewther; Wayne Farnham; Sam Groth; Matthew Guy; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; James Newbury; Danny O'Brien; Michael O'Brien; Kim O'Keeffe; John Pesutto; Richard Riordan; Brad Rowswell; David Southwick; Bill Tilley; Bridget Vallence; Peter Walsh; Kim Wells; Nicole Werner; Jess Wilson.

Question agreed to.

Original question — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Legislative Assembly's resolution today appointing Andrew Wehrens of Nexia Melbourne Audit to conduct the financial audit of the Victorian Auditor-General's Office for a period of four years.
- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Prahran Mechanics' Institute Repeal Bill 2024 without amendment.
- 17 **ELECTORAL MATTERS COMMITTEE** — Motion made and question — That this House refers an inquiry into possible reforms to the composition of, and voting systems for, the Legislative Council to the Electoral Matters Committee for consideration and report no later than 8 December 2025 (*Mary-Anne Thomas*) — after debate, put and agreed to.
- 18 **MELBOURNE CONVENTION AND EXHIBITION TRUST AMENDMENT BILL 2024** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.27 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 88 — Wednesday 28 August 2024

The House started at 9.30 am.

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **CRIMINAL ORGANISATIONS CONTROL AMENDMENT BILL 2024** — Anthony Carbines introduced 'A Bill for an Act to amend the *Criminal Organisations Control Act 2012* and to

make consequential amendments to certain other Acts and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled Statutory Rules under the following Acts:

Administration and Probate Act 1958 — SR 79

Supreme Court Act 1986 — SRs 78, 79.

- 4 **STATEMENTS BY MEMBERS** — Members made statements.

- 5 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.

- 6 **SHORT STAY LEVY BILL 2024** — Tim Pallas tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Tim Pallas*).

The second reading speech was incorporated into Hansard.

Tim Pallas made the statement of intention required by s 85(5)(c) of the *Constitution Act 1975*.

Motion made and question — That the debate be now adjourned (*Brad Rowsell*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until 11 September 2024.

- 7 **RESIDENTIAL TENANCIES AND FUNERALS AMENDMENT BILL 2024** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business interrupted at 2.00 pm under standing orders.

- 8 **QUESTION TIME.**

- 9 **CONSTITUENCY QUESTIONS.**

- 10 **RESIDENTIAL TENANCIES AND FUNERALS AMENDMENT BILL 2024** — Debate continued on question — That this Bill be now read a second time.

Business interrupted at 4.00 pm under sessional orders.

- 11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — THE BIG BUILD** — The Speaker read David Southwick’s proposal to the House —

‘That this House recognises that “the Big Build ... is absolutely rotten” (Nick McKenzie, 2024) and condemns the Allan Labor Government for:

- (1) the disastrous CFMEU-driven cost blowouts exceeding \$40 billion across major projects, including the Metro Tunnel and North East Link; and
- (2) the wasteful \$216 billion Suburban Rail Loop, which is pushing Victoria's debt to \$187.8 billion by 2027, threatening the financial future of our state, and leaving Victorians across the State without their fair share of quality services and infrastructure.'

David Southwick addressed the House — Discussion followed.

- 12 **RESIDENTIAL TENANCIES AND FUNERALS AMENDMENT BILL 2024** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ros Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **MELBOURNE CONVENTION AND EXHIBITION TRUST AMENDMENT BILL 2024** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business interrupted at 7.00 pm under sessional orders.

- 14 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.24 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 89 — Thursday 29 August 2024

The House started at 9.30 am.

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.

2 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Sarah Connolly, Chair, tabled a report from the Public Accounts and Estimates Committee on the Inquiry into vaping and tobacco controls, together with appendices, a minority report and transcripts of evidence.

Report, appendices and minority report ordered to be published.

- 3 **INTEGRITY AND OVERSIGHT COMMITTEE** — The Speaker announced that she had received the resignation of Eden Foster from the Integrity and Oversight Committee, effective from today.
- 4 **INTEGRITY AND OVERSIGHT COMMITTEE** — Motion made, by leave, and question — That Dylan Wight be a member of the Integrity and Oversight Committee (*Mary-Anne Thomas*) — put and agreed to.
- 5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until 10 September 2024 (*Mary-Anne Thomas*) — put and agreed to.
- 6 **STATEMENTS BY MEMBERS** — Members made statements.
- 7 **CRIMINAL ORGANISATIONS CONTROL AMENDMENT BILL 2024** — Anthony Carbines tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Anthony Carbines*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*James Newbury*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until 12 September 2024.

- 8 **HEALTH LEGISLATION AMENDMENT (REGULATORY REFORM) BILL 2024** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after ‘That’ be omitted and replaced with the words ‘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’ (*Tim Read*) — and, after debate —

Business interrupted at 2.00 pm under standing orders.

- 9 **QUESTION TIME.**
- 10 **CONSTITUENCY QUESTIONS.**
- 11 **HEALTH LEGISLATION AMENDMENT (REGULATORY REFORM) BILL 2024** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Natalie Suleyman*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Integrity, Defamation and Other Matters) Bill 2024 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 13 **JUSTICE LEGISLATION AMENDMENT (INTEGRITY, DEFAMATION AND OTHER MATTERS) BILL 2024** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 14 **HEALTH LEGISLATION AMENDMENT (REGULATORY REFORM) BILL 2024** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after ‘That’ be omitted and replaced with the words ‘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 resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on 27 August 2024 had expired.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Maree Edwards, in the Chair) —

AYES 72

Juliana Addison; Brad Battin; Jade Benham; Roma Britnell; Colin Brooks; Josh Bull; Tim Bull; Martin Cameron; Anthony Carabines; Ben Carroll; Anthony Cianflone; Sarah Connolly; Chris Couzens; Chris Crewther; Jordan Crugnale; Lily D’Ambrosio; Daniela De Martino; Steve Dimopoulos; Paul Edbrooke; Matt Fregon; Ella George; Luba Grigorovitch; Sam Groth; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Martha Haylett; Mathew Hilakari; David Hodgett; Melissa Horne; Lauren Kathage; Emma Kealy; Sonya Kilkenny; Nathan Lambert; Gary Maas; Alison Marchant; Kathleen Matthews-Ward; Tim McCurdy; Steve McGhie; Cindy McLeish; Paul Mercurio; John Mullahy; James Newbury; Michael O’Brien; Kim O’Keeffe; Tim Pallas; Danny Pearson; John Pesutto; Pauline Richards; Tim Richardson; Richard Riordan; Michaela Settle; David Southwick; Ros Spence; Nick Staikos; Natalie Suleyman; Meng Heang Tak; Jackson Taylor; Nina Taylor; Kat Theophanous; Mary-Anne Thomas; Bill Tilley; Bridget Vallence; Peter Walsh; Iwan Walters; Vicki Ward; Kim Wells; Nicole Werner; Dylan Wight; Gabrielle Williams; Belinda Wilson; Jess Wilson.

NOES 4

Gabrielle de Vietri; Sam Hibbins; Tim Read; Ellen Sandell.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **RESIDENTIAL TENANCIES AND FUNERALS AMENDMENT BILL 2024** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **MELBOURNE CONVENTION AND EXHIBITION TRUST AMENDMENT BILL 2024** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business interrupted at 5.07 pm under sessional orders.

- 17 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.30 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker