

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 35, 36 and 37

No 35 — Tuesday 29 August 2023

The House started at 12.00 noon.

- 1 The House met according to the resolution of the House on 17 August 2023 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **EDUCATION AND TRAINING REFORM AMENDMENT (LAND POWERS) BILL 2023** — Natalie Hutchins introduced ‘A Bill for an Act to amend the *Education and Training Reform Act 2006* to make further provision for the acquisition, use and development of land for the purpose of early childhood education and care and for the purpose of services associated with early childhood education and care and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **SUMMARY OFFENCES AMENDMENT (NAZI SALUTE PROHIBITION) BILL 2023** — Anthony Carbines introduced ‘A Bill for an Act to amend the *Summary Offences Act 1966* to make the public display or performance of Nazi gestures an offence, to extend the application of the offence of public display of Nazi symbols and for other purposes’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Management and maintenance of waterway and drain networks — Requesting that the Legislative Assembly directs the responsible Minister to undertake essential maintenance works across all state and local waterway and drain networks and develop a waterway management strategy, bearing 85 signatures (*Wayne Farnham*).

School zone and crossing in Birregurra — Requesting that the Legislative Assembly liaises with VicRoads and the Colac Otway Shire to support the proposal for a 40 km/h school zone and crossing on Main Street, Birregurra, bearing 3 signatures (*Richard Riordan*).

Ordered to be tabled.

- 5 **PETITION — SCHOOL ZONE AND CROSSING IN BIRREGURRA** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Richard Riordan*) — put and agreed to.
- 6 **PETITION — MANAGEMENT AND MAINTENANCE OF WATERWAY AND DRAIN NETWORKS** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Wayne Farnham*) — put and agreed to.

7 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Gary Maas, Chair, tabled the Alert Digest No 10 of 2023 from the Scrutiny of Acts and Regulations Committee on the:

Bail Amendment Bill 2023

Firefighters' Presumptive Rights Compensation Legislation Amendment Bill 2023

Independent Broad-based Anti-corruption Commission Amendment (Ending Political Corruption) Bill 2023

Independent Broad-based Anti-corruption Commission Amendment (Public Recommendations) Bill 2023

Justice Legislation Amendment Bill 2023

Nuclear Activities (Prohibitions) Repeal Bill 2023

together with appendices.

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled:

Independent Broad-based Anti-corruption Commission — Report to the Attorney-General under s 464ZP of the *Crimes Act 1958*

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by Members of the Legislative Assembly — Ordinary Returns 28 July 2023 (two volumes) — Ordered to be published

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

Brimbank — C217

Campaspe — GC173

Greater Geelong — C443

Greater Shepparton — GC173

Macedon Ranges — C150

Mansfield — C58

Maribyrnong — C181

Moira — GC173

Mornington Peninsula — C232

Stonnington — C336

Whittlesea — C245

Wyndham — C231

Yarra Ranges — C210

Statutory Rules under the following Acts:

Charter of Human Rights and Responsibilities Act 2006 — SR 88

Mental Health and Wellbeing Act 2022 — SRs 87, 89, 90

Subordinate Legislation Act 1994:

Documents under s 15 in relation to statutory rules 82, 83, 84, 85, 86, 87, 88, 89, 90

Documents under s 16B in relation to the *Education and Training Reform Act 2006* — Order Amending Ministerial Order No 1228 — Victorian Institute of Teaching Registration Fees

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

Victorian Equal Opportunity and Human Rights Commission — Report 2022 on the operation of the Charter of Human Rights and Responsibilities — Ordered to be published.

PROCLAMATION — Under SO 177A, the Clerk tabled the following proclamation fixing an operative date:

Victorian Future Fund Act 2023 — Whole Act — 22 August 2023 (*Gazette S447, 22 August 2023*).

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Mineral Resources (Sustainable Development) Amendment Bill 2023 without amendment.

9 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 22 August 2023

Energy Legislation Amendment (Energy Safety) Bill 2023

On 29 August 2023

Mineral Resources (Sustainable Development) Amendment Bill 2023.

10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following items be considered and completed by 5.00 pm on 31 August 2023:

Bail Amendment Bill 2023

Budget Papers — motion

Justice Legislation Amendment Bill 2023

Nuclear Energy — motion

Safe Schools — motion

State Electricity Commission — motion

Suburban Rail Loop — motion —

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

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

AYES 52

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; Nina Taylor; Kat Theophanous; Mary-Anne Thomas; Emma Vulin; Iwan Walters; Vicki Ward; Dylan Wight; Gabrielle Williams; Belinda Wilson.

NOES 26

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; Richard Riordan; Brad Rowsell; David Southwick; Bill Tilley; Bridget Vallence; Kim Wells; Jess Wilson.

Question agreed to.

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

12 **JUSTICE LEGISLATION AMENDMENT BILL 2023** — 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 sessional orders.

13 **QUESTION TIME.**

14 **JUSTICE LEGISLATION AMENDMENT BILL 2023** — Debate continued on question — That this Bill be now read a second time.

Under SO 64, Ellen Sandell circulated amendments to be proposed when the House considers the Bill in detail.

Debate continued on question — That this Bill be now read a second time.

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

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

15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Statute Law Amendment (References to the Sovereign) Bill 2023 without amendment.

16 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2023–24 budget papers; debate resumed.

Business interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.22 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 36 — Wednesday 30 August 2023

The House started at 9.30 am.

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **TRIPLE ZERO VICTORIA BILL 2023** — Anthony Carbines introduced ‘A *Bill for an Act to establish Triple Zero Victoria, to repeal the **Emergency Services Telecommunications Authority Act 2004** 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 ACTS OF PARLIAMENT** — The Clerk tabled:
- Auditor-General — Responses to Performance Engagement Recommendations: Annual Status Update 2023 — Ordered to be published
- Voluntary Assisted Dying Review Board — Report 2022–23.
- 4 **STATEMENTS BY MEMBERS** — Members made statements.
- 5 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.
- 6 **EDUCATION AND TRAINING REFORM AMENDMENT (LAND POWERS) BILL 2023** — Natalie Hutchins 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 (*Natalie Hutchins*).
- The second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Cindy McLeish*) — put and agreed to.
- Ordered — That the debate be adjourned for two weeks. Debate adjourned until 13 September 2023.

- 7 **SUMMARY OFFENCES AMENDMENT (NAZI SALUTE PROHIBITION) BILL 2023** — 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 (*Michael O'Brien*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until 13 September 2023.

- 8 **BAIL AMENDMENT BILL 2023** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Under SO 64, Michael O'Brien circulated amendments to be proposed when the House considers the Bill in detail.

Debate continued on question — That this Bill be now read a second time.

Business interrupted at 2.00 pm under standing orders.

- 9 **QUESTION TIME.**

- 10 **BAIL AMENDMENT BILL 2023** — Debate continued on question — That this Bill be now read a second time.

Under SO 64, Tim Read circulated amendments to be proposed when the House considers the Bill in detail.

Debate continued on question — That this Bill be now read a second time.

Business interrupted at 4.00 pm under sessional orders.

- 11 **GRIEVANCES** — Question — That grievances be noted — after debate, put and agreed to.

- 12 **BAIL AMENDMENT BILL 2023** — Debate continued on question — That this Bill be now read a second time.

Business interrupted at 7.00 pm under sessional orders.

- 13 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 37 — Thursday 31 August 2023

The House started at 9.30 am.

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Condition of highways between Yarra Glen and Mansfield — Requesting that the Legislative Assembly through the Minister for Roads and Road Safety ensures road works and resurfacing are conducted to repair the Melba Highway, Goulburn Valley Highway and Maroondah Highway, bearing 1817 signatures (*Cindy McLeish*).

Condition of Victorian roads — Requesting that the Legislative Assembly calls on the Government to fix Victorian roads and enable all damage to vehicles and tyres to be claimable from VicRoads, bearing 60 signatures (*Cindy McLeish*).

Community History Awards and the Local History Grants Program — Requesting that the Legislative Assembly directs the Department of Government Services to reinstate funding for the Community History Awards and the Local History Grants Program, bearing 84 signatures (*Tim Bull*).

Survivors of voluntary placement — Requesting that the Legislative Assembly advocates for survivors of voluntary placement to be acknowledged as out-of-home care leavers and Forgotten Australians, bearing 50 signatures (*Michael O'Brien*).

Ordered to be tabled.

- 3 **PETITION — COMMUNITY HISTORY AWARDS AND THE LOCAL HISTORY GRANTS PROGRAM** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Tim Bull*) — put and agreed to.
- 4 **PETITION — CONDITION OF HIGHWAYS BETWEEN YARRA GLEN AND MANSFIELD** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Cindy McLeish*) — put and agreed to.

5 **PETITION — CONDITION OF VICTORIAN ROADS** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Cindy McLeish*) — put and agreed to.

6 **PETITION — SURVIVORS OF VOLUNTARY PLACEMENT** — Motion made and question — That the petition presented by the Member for Malvern be taken into consideration tomorrow (*Michael O'Brien*) — put and agreed to.

7 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled:

Statutory Rules under the following Acts:

Circular Economy (Waste Reduction and Recycling) Act 2021 — SR 91

Gender Equality Act 2020 — SR 94

Mental Health and Wellbeing Act 2022 — SR 92

Planning and Environment Act 1987 — SR 93

Surveyor-General — Report 2022–23 on the administration of the *Survey Co-ordination Act 1958*.

8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until 3 October 2023 (*Mary-Anne Thomas*) — put and agreed to.

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

10 **TRIPLE ZERO VICTORIA BILL 2023** — 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 14 September 2023.

11 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2023–24 budget papers; debate resumed.

Business interrupted at 2.00 pm under standing orders.

12 **QUESTION TIME.**

13 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2023–24 budget papers.

Allocation of time — The Speaker advised that the time allocated for consideration of items under the resolution of the House on 29 August 2023 had expired.

Question — That this House takes note of the 2023–24 budget papers — put and agreed to.

- 14 **BAIL AMENDMENT BILL 2023** — 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.

- 15 **JUSTICE LEGISLATION AMENDMENT BILL 2023** — 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 **SUBURBAN RAIL LOOP** — Order read for resuming debate on question — That this House notes that Victorians resoundingly supported, for a second time, the state shaping Suburban Rail Loop, including SRL Airport, described by the Shadow Minister for Education on social media as ‘a mangy dog’ of a project — *and on the amendment* — That all the words after ‘House’ be omitted and replaced with the words ‘(1) Acknowledges that Victorians expect integrity, transparency, and good governance in the implementation of the Suburban Rail Loop; and (2) Calls on the Government to release the full business case to the Victorian Auditor-General’s Office, have the project independently assessed by Infrastructure Victoria, and release accurate costings to Victorians.’

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 54

Juliana Addison; Jacinta Allan; Daniel Andrews; Colin Brooks; Josh Bull; Anthony Carbines; Ben Carroll; Darren Cheeseman; Anthony Cianflone; Sarah Connolly; Chris Couzens; Jordan Crugnale; Daniela De Martino; Gabrielle de Vietri; Steve Dimopoulos; Paul Edbrooke; Matt Fregon; Ella George; Luba Grigorovitch; Bronwyn Halfpenny; Paul Hamer; Martha Haylett; Sam Hibbins; Mathew Hilakari; Melissa Horne; Natalie Hutchins; 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; Nina Taylor; Kat Theophanous; Mary-Anne Thomas; Emma Vulin; Iwan Walters; Vicki Ward; Dylan Wight; Gabrielle Williams; Belinda Wilson.

Noes 24

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

Question agreed to.

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

- 17 **STATE ELECTRICITY COMMISSION** — Order read for resuming debate on question — That this House notes the overwhelming support at the 2022 election for the Victorian Labor Government's plan to: (1) Bring back the State Electricity Commission; (2) Reach 95 per cent renewables by 2035, and net zero by 2045; (3) Install 100 neighbourhood batteries across Victoria; and (4) Create 59,000 renewable energy jobs.

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

- 18 **NUCLEAR ENERGY** — Order read for resuming debate on question — That this House notes: (1) The Leader of the Federal Opposition's support for nuclear energy; (2) The Leader of the Victorian Opposition's support for nuclear energy; and (3) The resounding support for the Andrews Government's goal to hit net zero by 2045 with renewables rather than high-risk and expensive nuclear power.

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

- 19 **SAFE SCHOOLS** — Order read for resuming debate on question — That this House affirms its support for the Safe Schools program and acknowledges that it critically: (1) Supports the wellbeing of all young people; and (2) Provides valuable resources and support for teachers to foster an inclusive learning environment where everyone has the opportunity to reach their full potential.

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

Business interrupted at 5.08 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.36 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker