

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 9, 10 and 11

No 9 — Tuesday 7 March 2023

The House started at 12.00 noon.

- 1 The House met according to the resolution of the House on 23 February 2023 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **BUILDING LEGISLATION AMENDMENT BILL 2023** — Sonya Kilkenny introduced ‘*A Bill for an Act to amend the **Building Act 1993**, the **Architects Act 1991**, the **Domestic Building Contracts Act 1995**, the **Building and Construction Industry Security of Payment Act 2002**, the **Victorian Civil and Administrative Tribunal Act 1998**, the **Sale of Land Act 1962**, the **Owners Corporations Act 2006**, the **Cladding Safety Victoria Act 2020** and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2023** — Gabrielle Williams introduced ‘*A Bill for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** in relation to the medically supervised injecting centre and for other purposes*’; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **LOCAL GOVERNMENT (MOIRA SHIRE COUNCIL) BILL 2023** — Melissa Horne introduced ‘*A Bill for an Act to dismiss the Moira Shire Council, to provide for a second general election for the Moira Shire Council, to make consequential amendments to the **Local Government Act 2020** and for other purposes*’; and the Bill was read a first time. In accordance with SO 61(3)(b), the House proceeded immediately to the second reading.

Melissa Horne 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 (*Melissa Horne*).

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

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

5 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Iwan Walters, Chair, tabled the Alert Digest No 1 of 2023 from the Scrutiny of Acts and Regulations Committee on the:

Building and Planning Legislation Amendment Act 2023

Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-Determination and Other Matters) Bill 2023

Children, Youth and Families Amendment (Raise the Age) Bill 2022

Health Legislation Amendment (Information Sharing) Bill 2023

Heritage Amendment Bill 2023

Human Source Management Bill 2023

Independent Broad-based Anti-corruption Commission Amendment (Facilitation of Timely Reporting) Bill 2022

Independent Broad-based Anti-corruption Commission Amendment (Restoration of Examination Powers) Bill 2022

Parliamentary Committees Amendment (Preventing Government Dominated Investigatory Committees) Bill 2022

Racing Amendment (Unauthorised Access) Bill 2022

Road Safety Amendment (Medicinal Cannabis) Bill 2023

Statute Law Amendment Bill 2022

together with appendices and extracts from the proceedings.

Ordered to be published.

PARLIAMENTARY BUDGET OFFICE — Sarah Connolly, Chair, Public Accounts and Estimates Committee, tabled the Parliamentary Budget Office Report 2021–22.

REPORT OF PARLIAMENTARY BUDGET OFFICE OPERATIONS — Sarah Connolly, Chair, Public Accounts and Estimates Committee, tabled a report from the Parliamentary Budget Officer on PBO operations for the Victorian 2022 general election.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled:

Local Government Act 2020 — Commission of Inquiry into Moira Shire Council — Ordered to be published

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

Frankston — C140

Greater Geelong — C431

Melbourne — C413

Stonnington — C329

Victoria Planning Provision — VC215

Yarra — C313

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria — Report 2021–22

Statutory Rules under the following Acts:

Port Management Act 1995 — SR 13

Residential Tenancies Act 1997 — SR 10

Victorian Civil and Administrative Tribunal Act 1998 — SR 12

Water Industry Act 1994 — SR 11

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 12.

DOCUMENT TABLED UNDER STANDING ORDERS — The Clerk tabled:

Government response to the Legal and Social Issues Standing Committee's Report on the Inquiry into support for older Victorians from migrant and refugee backgrounds — released on 27 February 2023.

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Racing Amendment (Unauthorised Access) Bill 2022 without amendment.

7 **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 28 February 2023

Building and Planning Legislation Amendment Bill 2022

On 7 March 2023

Racing Amendment (Unauthorised Access) Bill 2022.

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 9 March 2023:

Heritage Amendment Bill 2023

Children and Health Legislation Amendment (Statement of Recognition, Aboriginal Self-determination and Other Matters) Bill 2023 —

(*Mary-Anne Thomas*) — after debate, 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; Lily D'Ambrosio; Daniela De Martino; Steve Dimopoulos; Paul Edbrooke; Will Fowles; Matt Fregon; Ella George; Luba Grigorovitch; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Martha Haylett; Mathew Hilakari; Melissa Horne; Natalie Hutchins; Lauren Kathage; Sonya Kilkenney; Nathan Lambert; Gary Maas; Alison Marchant; Kathleen Matthews-Ward; Steve McGhie; Paul Mercurio; John Mullahy; Tim Pallas; Danny Pearson; Pauline Richards; 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 28

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 Rowswell; Ryan Smith; David Southwick; Bill Tilley; Bridget Vallence; Peter Walsh; Kim Wells; Jess Wilson.

Question agreed to.

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

10 **LOCAL GOVERNMENT (MOIRA SHIRE COUNCIL) BILL 2023** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

Business interrupted at 2.00 pm under sessional orders.

11 **QUESTION TIME.**

12 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 31, 20 December 2022*); debate resumed.

Amendment proposed — That the following words be added to the end of the motion: 'but respectfully regret that the speech fails to announce a ban on new coal and gas projects' (*Tim Read*) — and, after debate —

Business interrupted at 7.00 pm under sessional orders.

13 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.36 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 10 — Wednesday 8 March 2023

The House started at 9.30 am.

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

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

Australian Criminal Intelligence Commission:

Report 2021–22 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Report 2021–22 under s 42BI of the *Evidence (Miscellaneous Provisions) Act 1958*

Environment, Land, Water and Planning, Department of — Report 2021–22 under s 30L of the *Surveillance Devices Act 1999*

Environment Protection Authority — Report 2021–22 under s 30L of the *Surveillance Devices Act 1999*

Victorian Information Commissioner, Office of (OVIC) — Process versus Outcome: Investigation into VicForests' handling of a series of FOI requests under s 61O of the *Freedom of Information Act 1982* — Ordered to be published

Special Investigator, Office of — Report 2021–22 under s 30L of the *Surveillance Devices Act 1999*

Victoria Police:

Report 2021–22 under s 31 of the *Crimes (Assumed Identities) Act 2004*

Report 2021–22 under s 42BI of the *Evidence (Miscellaneous Provisions) Act 1958*

Report 2021–22 under s 30L of the *Surveillance Devices Act 1999*.

3 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Local Government (Moirā Shire Council) Bill 2023 without amendment.

4 **STATUTE LAW AMENDMENT BILL 2022** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, 'A Bill for an Act to revise the statute law of Victoria, to make minor amendments to the **Competition Policy Reform (Victoria) Act 1995** and for other purposes'.

On the motion of Danny Pearson, the Bill was read a first time and ordered to be read a second time tomorrow.

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

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

7 **POSTPONEMENT OF NOTICE OF MOTION** — Ordered — That the consideration of Government Business, notice of motion No 2 be postponed until later this day.

8 **BUILDING LEGISLATION AMENDMENT BILL 2023** — Sonya Kilkenny 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 (*Sonya Kilkenney*).

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 22 March 2023.

- 9 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2023** — Gabrielle Williams 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 (*Gabrielle Williams*).

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 22 March 2023.

- 10 **INTERNATIONAL WOMEN'S DAY** — Motion made and question — That this House notes that today is International Women's Day and —

- (1) This year marks 100 years since women won the right to stand for election to Victorian Parliament;
- (2) For many years First Nations women did not have the same political rights as other Victorians —

(*Natalie Hutchins*) — and, after debate —

Business interrupted at 2.00 pm under standing orders.

- 11 **QUESTION TIME.**

- 12 **INTERNATIONAL WOMEN'S DAY** — Debate continued on question — That the motion be agreed to.

Business interrupted at 4.00 pm under sessional orders.

- 13 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — RISING COST OF LIVING PRESSURES ON VICTORIAN FAMILIES** — The Speaker read Brad Rowswell's proposal to the House —

‘That this House expresses deep concern at the rising cost of living pressures on Victorian families and the policy failures of the Andrews Labor Government including:

- (1) Melbourne being the most expensive city for public education in the country, with average costs spiking to more than \$102,000;
- (2) Victorians facing energy price increases of up to \$1,000 over this year, with the government unable to detail when power prices will be reduced;
- (3) raiding Melbourne-based water authorities and the Transport Accident Commission and new threats of WorkSafe levy increases;
- (4) no clear repayment plan by the Premier or Treasurer to repay \$166 billion worth of state debt and tackle the annual interest bill of nearly \$4 billion;
- (5) increased land tax bills hitting mum and dad investors, and failing to advocate against Federal Labor attacks to superannuation;
- (6) home ownership continuing to slip further out of reach following a shock drop in the number of new build approvals, ongoing rental price increases, roadblocks to new land supply, increased taxes pushing up the price for first home buyers and reduced borrowing capacity for Victorian home buyers;
- (7) no reduction to metropolitan public transport ticket prices, forcing more commuters onto the roads, adding to lengthy traffic congestion problems; and
- (8) a skills crisis, with no plan to address skills shortages or the risk to free TAFE after the Andrews Labor Government cut \$55 million in funding from VET.’

Brad Rowswell addressed the House — Discussion followed.

- 14 **INTERNATIONAL WOMEN’S DAY** — Debate continued on question — That the motion be agreed to.

Question — put and agreed to.

- 15 **HERITAGE AMENDMENT BILL 2023** — 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.

- 16 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 7.23 pm.

No 11 — Thursday 9 March 2023

The House started at 9.30 am.

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

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

Auditor-General — Maintaining Railway Assets across Metropolitan Melbourne — Ordered to be published

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Treasury Gardens

Jobs, Precincts and Regions, Department of — Report 2021–22

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2022–23 Budget Estimates

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 13, 15.

- 3 **COMMITTEE REFERENCES** — Motion made, by leave, and question — That this House refers:

- (1) an inquiry into the conduct of the 2022 Victorian State Election to the **Electoral Matters Committee** for consideration and report no later than 1 May 2024;
- (2) an inquiry into increasing the number of registered organ and tissue donors to the **Legal and Social Issues Standing Committee** for consideration and report no later than 31 March 2024;
- (3) an inquiry into changes to road safety behaviours during and post the COVID-19 pandemic and impacts on vulnerable road users to the **Economy and Infrastructure Standing Committee** for consideration and report no later than 31 March 2024; and
- (4) an inquiry into employers and contractors who refuse to pay their sub-contractors for completed works to the **Environment and Planning Standing Committee** for consideration and report no later than 31 December 2023 —

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

- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until 21 March 2023 *(Mary-Anne Thomas)* — put and agreed to.

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

- 6 **STATUTE LAW AMENDMENT BILL 2022** — Danny Pearson 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 (*Danny Pearson*).

The second reading speech was incorporated into Hansard.

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

Ordered — That the debate be adjourned for one week. Debate adjourned until 16 March 2023.

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

Motion made and question — That the debate be now adjourned (*John Pesutto*) — after debate, put.

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

AYES 32

Brad Battin; Jade Benham; Roma Britnell; Tim Bull; Martin Cameron; Annabelle Cleeland; Chris Crewther; Gabrielle de Vietri; Wayne Farnham; Sam Groth; Matthew Guy; Sam Hibbins; David Hodgett; Emma Kealy; Tim McCurdy; Cindy McLeish; James Newbury; Danny O'Brien; Michael O'Brien; Kim O'Keeffe; John Pesutto; Tim Read; Richard Riordan; Brad Rowswell; Ellen Sandell; Ryan Smith; David Southwick; Bill Tilley; Bridget Vallance; Peter Walsh; Kim Wells; Jess Wilson.

NOES 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; Will Fowles; Matt Fregon; Ella George; Luba Grigorovitch; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Martha Haylett; Mathew Hilakari; Melissa Horne; Natalie Hutchins; Lauren Kathage; Sonya Kilkenney; Nathan Lambert; Gary Maas; Alison Marchant; Kathleen Matthews-Ward; Steve McGhie; Paul Mercurio; John Mullahy; Danny Pearson; Pauline Richards; 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.

Question defeated.

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.

- 8 **CHILDREN AND HEALTH LEGISLATION AMENDMENT (STATEMENT OF RECOGNITION, ABORIGINAL SELF-DETERMINATION AND OTHER MATTERS) BILL 2023** — Order read for resuming debate on question — That this Bill be now read a second time.

Gabrielle Williams announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

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 **CHILDREN AND HEALTH LEGISLATION AMENDMENT (STATEMENT OF RECOGNITION, ABORIGINAL SELF-DETERMINATION AND OTHER MATTERS) BILL 2023** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on 7 March 2023 had expired.

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

Question — That Government amendments Nos 1 and 2 be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **HERITAGE 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.

Business interrupted at 5.00 pm under sessional orders.

- 12 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.28 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker