

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 2, 3, 4 and 5

No 2 — Tuesday 7 February 2023

The House started at 12.00 noon.

- 1 The House met according to the resolution of the House on 20 December 2022 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE JOHN LANDY AC CVO MBE** — Motion made and question —

That this House expresses its sincere sorrow at the death of the Honourable John Landy AC CVO MBE and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as the Governor of Victoria from 2001 to 2006 (*Daniel Andrews*) — members and the Speaker addressed the House in support, and the motion was agreed to unanimously with members rising in their places to signify their assent.
- 3 **ADJOURNMENT** — As a further mark of respect to the memory of the late Honourable John Landy AC CVO MBE, the House, at 1.00 pm, adjourned until 2.00 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 3 — Tuesday 7 February 2023 (2.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTION TIME.**
- 3 **HUMAN SOURCE MANAGEMENT BILL 2023** — Anthony Carbines introduced '*A Bill for an Act to provide for the registration, use and management of human sources by Victoria Police, to provide for the external oversight of the use of human sources, to consequentially amend the **Victoria Police Act 2013** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

- 4 **HEALTH LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2023** — Mary-Anne Thomas introduced ‘A Bill for an Act to amend the **Health Services Act 1988** to establish a centralised electronic system to enable public hospitals and other specified health services to share specified patient health information, to make consequential amendments to the **Health Records Act 2001** and for other purposes’; and after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 5 **ACTING SPEAKERS** — The Speaker tabled the following warrant:

PANEL OF ACTING SPEAKERS

Under Standing Order 20, I appoint Juliana Addison, Christine Couzens, Bronwyn Halfpenny, Paul Hamer, Meng Heang Tak and Jackson Taylor to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

Hon Maree Edwards MP
SPEAKER
7 February 2023.

- 6 **APPOINTMENT OF OFFICER OF PARLIAMENT** — The Speaker informed the House that under s 18 of the *Parliamentary Administration Act 2005*, the Clerk of the Legislative Assembly has appointed Vaughn Koops to be Deputy Clerk, following the appointment of Robert McDonald as Clerk of the Legislative Council in 2022.

- 7 **DOCUMENTS**

JUDICIAL COMMISSION OF VICTORIA — Report 2021–22 tabled by leave (*Anthony Carbines*).

DOCUMENTS TABLED BY COMMAND OF THE GOVERNOR — The Clerk announced that the following documents had been lodged for presentation by Command of the Governor:

Magistrates’ Court of Victoria — Report 2021–22
Supreme Court of Victoria — Report 2021–22

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled:

Australian Criminal Intelligence Commission, Board of — Report 2020–21

Benalla Health — Report 2021–22

Casterton Memorial Hospital — Report 2021–22

Central Highlands Rural Health — Report 2021–22

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Point Cook Coastal Park

Order under s 17D granting a lease over Yarra Bend Park

Order under ss 17B and 17D granting a licence and a lease over Mount Doboobetic Bushland Reserve

Dhelkaya Health — Report 2021–22

Drugs, Poisons and Controlled Substances Act 1981 — Documents under s 12H:

Amended Poisons Code

Notice of preparation of amendment to the Poisons Code

Parts of the Commonwealth standard that the Poisons Code incorporates by reference

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2022 under s 303

Education and Care Services Ombudsman, National Education and Care Services Privacy Commissioner, and National Education and Care Services Freedom of Information Commissioner — Report 2021–22

Financial Management Act 1994:

Report from the Minister for Environment that she had received the Report 2021–22 of the Caulfield Racecourse Reserve Trust

Report from the Minister for Industry and Innovation that he had not received the Report 2021–22 of the Department of Jobs, Precincts and Regions, together with an explanation for the delay

2022–23 Quarterly Financial Report No 1 — released on 23 December 2022

Gippsland Southern Health Service — Report 2021–22

Grampians Health — Report 2021–22

Kilmore District Health — Report 2021–22

Kyabram District Health Service — Report 2021–22

Land Tax Act 2005 — Report 2021–22 of Land Tax Absentee Owner Surcharge Exemptions under s 3BB

Omeo District Health — Report 2021–22

Peter MacCallum Cancer Centre — Report 2021–22

Planning and Environment Act 1987:

Notices of approval of amendments to the following Planning Schemes:

Ararat — C42

Boroondara — C390, C393

Cardinia — C270

Darebin — C170, C203, C212

Glenelg — C106

Greater Bendigo — C271

Hume — C253

Manningham — C133

Mansfield — C48 part 1

Melbourne — C420, C422, C445, C446

Moreland — C227

Port Phillip — C184, C204

Surf Coast — C133

Towong — C37

Whittlesea — C270

Report 2021–22 on Infrastructure Contributions and Development Contribution Levies

Statutory Rules under the following Acts:

County Court Act 1958 — SR 131/2022

Health Practitioner Regulation National Law Act 2009 — SR 1

Health Practitioner Regulation National Law Act 2009 — SR 2

Independent Broad-based Anti-corruption Commission Act 2011 — SR 3

Land Conservation (Vehicle Control) Act 1972 — SR 6

Magistrates' Court Act 1989 — SR 134/2022

Public Interest Monitor Act 2011 — SR 4

Supreme Court Act 1986 — SRs 132/2022, 133/2022

Victorian Inspectorate Act 2011 — SR 5

Subordinate Legislation Act 1994 — documents under s 15 in relation to Statutory Rules 97/2021, 153/2021, 171/2021, 37/2022, 81/2022, 93/2022, 111/2022, 124/2022, 134/2022, 3, 4, 5, 6

Victorian Institute of Forensic Mental Health (Forensicare) — Report 2021–22

Victorian Public Sector Commission — Report 2021–22.

- 8 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Racing Amendment (Unauthorised Access) Bill 2022.
- 9 **REFERRAL TO STANDING ORDERS COMMITTEE** — Motion made, by leave, and question — That, subject to the sessional orders proposed in Government Business Notice of Motion No 1 being agreed, the following issues be referred to the Standing Orders Committee for consideration, inquiry and report:

(1) the possible inclusion of the sessional orders and ongoing resolutions in the standing orders; and

(2) any other identified improvements to the standing orders —

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

10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until tomorrow at 9.30 am *(Mary-Anne Thomas)* — put and agreed to.

11 **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 February 2023:

Building and Planning Legislation Amendment Bill 2022
Racing Amendment (Unauthorised Access) Bill 2022 —

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

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

13 **SESSIONAL ORDERS** — Motion made and question — That the following sessional orders be adopted, to come into operation with effect from the next sitting day —

1 Days and times of meeting

Unless otherwise ordered, the House will meet each Tuesday at 12.00 pm, and each Wednesday and Thursday at 9.30 am.

2 Interruption of business for adjournment

Standing Order 32 be suspended and the following to apply:

(1) Subject to paragraphs (2) and (3), the Speaker will interrupt the business before the House at:

(a) 7.00 pm each sitting Tuesday and Wednesday;

(b) 5.00 pm on any other sitting day.

(2) If a division is taking place when the time for the interruption arises, the division will be completed and the result announced. If the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with. The Speaker will then interrupt business.

(3) If the time for the interruption arises:

- (a) at the same time as the completion time set by the government business program; or
- (b) after the interruption for the completion time of the government business program, but before all business on the program has been dealt with —

all business on the government business program will be completed first. The Speaker will then interrupt business for the adjournment.

- (4) After the interruption:
 - (a) before a motion for the adjournment is proposed by the Speaker, a minister may move that the sitting be continued. That motion must be put immediately without amendment or debate. If it is agreed to, the House will resume debate at the point at which it had been interrupted; or
 - (b) if a motion is not moved, the Speaker will immediately propose the question 'That the House now adjourns'. Any business under discussion and any other business not concluded at the time of the adjournment will be listed on the notice paper for the next sitting day. Any member speaking at the time of the interruption may, when debate resumes, continue his or her speech.

3 Order of business

- (1) So much of SOs 36, 38, 39, 41 and 55 be suspended so as to enable the following order of business on:

Tuesdays

Formal business
 Statements by members
 Government business
 Question time (2.00 pm)
 Government business *continued*
 General business

Wednesdays

Formal business
 Disallowance motions
 Statements by members
 Statements on parliamentary committee reports
 Government business
 Question time (2.00 pm)
 Government business *continued*
 Matter of public importance or grievance debate (4.00 pm)
 Government business *continued*
 General business

- (2) So much of SOs 38 and 39 be suspended so as to enable:

-
- (a) at 4.00 pm on Wednesday, unless a division is taking place, the Chair interrupts the business before the House and the bells are then rung for one minute;
 - (b) if a division is taking place at 4.00 pm:
 - (i) it will be completed without interruption and result announced;
 - (ii) if the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with;
 - (iii) business is then interrupted following the procedure in sub-paragraph (a);
 - (c) the Chair announces the grievance debate or matter of public importance, whichever the case may be;
 - (d) any business under discussion and not completed at the interruption will be resumed immediately at the end of the grievance debate or matter of public importance, whichever the case may be, and any member speaking at the time of the interruption may then continue his or her speech.
- (3) In SO 39(9) for 'statements on parliamentary committee reports under SO 41' read 'government business'.

4 Answers to questions on notice

A reply to a question on notice delivered to the Clerk under SO 54(3) must be submitted within 30 days.

5 Who may ask oral questions without notice

Only non-government members may ask questions without notice under SO 55.

6 Supplementary questions without notice

- (1) At the conclusion of each answer to an oral question without notice, the questioning member may ask the responding minister a supplementary question to elucidate or clarify the answer.
- (2) Supplementary questions must actually and accurately relate to the original question, must relate to or arise from the answer and must not be a separate question on the same topic.

7 Ministers' statements

After each oral question without notice and any related supplementary questions, any minister may seek the call to make a statement of up to two minutes.

8 Constituency questions

- (1) At the conclusion of oral questions without notice and ministers' statements, five government members and five non-government members may ask one oral question each to ministers relating to constituency matters.
- (2) Replies to constituency questions must be given in writing within 30 days by delivering a reply to the Clerk. The Clerk must give the response to the member who asked the question and electronically publish the response.

9 Duration of question time

Standing Order 55(2) is suspended and the following to apply:

Question time will last until five oral questions and related supplementary questions have been answered, up to five ministers' statements have been made and up to ten constituency questions have been asked and where a question is ruled out of order it is, for the purposes of this sessional order, deemed to have been answered.

10 Time limits on answers and questions

- (1) The time limit for each oral question, supplementary question and constituency question is one minute.
- (2) The time limit for the answer to each oral question is three minutes, and for the answer to each supplementary question is one minute.

11 Content of answers

Standing Order 58(1)(a) is suspended and all answers to questions must be direct, factual, succinct and relevant.

12 Chair ordering member to withdraw — application during oral questions without notice and ministers' statements

Where:

- (1) a member is ordered to withdraw from the House under SO 124 during oral questions without notice or ministers' statements; and
- (2) the time for oral questions without notice and ministers' statements ends before the end of the suspension period —

the member may return to the Chamber after the time for oral questions without notice and ministers' statements but must serve the remainder of their suspension during the next question time, subject to SO 124(2).

13 Time limit for lead speakers

For the purposes of SO 131, and subject to any agreement to the contrary, additional time provided for the lead speaker of any other party does not apply where such a party has advised the Speaker that it is in a coalition arrangement with another party.

14 Notices of motion

Standing Orders 140(1) and 141 are suspended and the following to apply:

- (1) A member may only move a motion to discuss a subject if he or she has given notice of that motion on a previous sitting day.
- (2) Copies of all verbal notices must be provided to the Clerks at the table before notices are called on by the Speaker.
- (3) Copies of all written notices must be provided to the Clerks at the table before the conclusion of formal business.
- (4) All notices given by ministers must be verbal.
- (5) Verbal notices must be read to the House. They can only be given before the House proceeds to the business of the day as set out in the notice paper.
- (6) All notices, except notices given under paragraph (7) given by members who are not ministers, must be given in writing. Members may give notice by lodging a copy with the Clerks in accordance with paragraph (3).
- (7) A motion by a member expressing no confidence in the Premier and ministers, in the terms set out in s 8A of the *Constitution Act 1975*, may only be given verbally.
- (8) The Clerk must notify the Speaker of a notice of a motion by a member to disallow a statutory rule to which SO 151 applies, and the Speaker will report details to the House at the first convenient opportunity.

15 Procedure for a division

Standing Order 164(1) is suspended and the following to apply:

When a division is requested, the Clerk will ring the bells for four minutes as indicated by the timer.

16 Redactions

The Standing Orders Committee (the Committee) is empowered to authorise redactions from a document published by the House, Assembly Hansard, official broadcast footage of the Assembly Chamber or an Assembly Committee, a petition, or a document tabled under SO 171 on safety or security grounds using the following process:

- (1) A person, including a member of Parliament, may write to the Clerk and request the redaction including details of the nature of the safety or security risk and how redaction would reduce or remove this risk. The Clerk will then forward that request to the Committee as soon as practicable.
- (2) If the Committee is satisfied there is a safety or security risk and the redaction is warranted, the Committee may approve the request. All members present at the meeting must unanimously agree for the Committee's decision to be effective.
- (3) The Clerk will inform the person who made the request of the Committee's decision. Where the Committee unanimously approves the redaction, the Clerk must take all necessary steps to give effect to the Committee's decision.
- (4) A redaction does not affect the protections provided by ss 73, 74 or 74AA of the *Constitution Act 1975*.
- (5) The Clerk must include a statement of the number of redactions made and the type of document they were redacted from, excluding any identifying information, in the annual report of the Department of the Legislative Assembly.
- (6) The Committee may issue guidelines on the operation of this sessional order.

17 Electronic petitions

- (1) A person (the sponsoring petitioner) may lodge a request to start an electronic petition (e-petition) with the Clerk for publication on the Parliament's website.
- (2) Standing Orders 45 to 52 apply except in relation to the requirement for a petitioner's signature.
- (3) The sponsoring petitioner must provide the following information to the Clerk:
 - (a) the issue (maximum 200 words) and action requested (maximum 120 words);
 - (b) their full name and address; and
 - (c) the name of the member sponsoring the e-petition.
- (4) Before the e-petition is published, the Clerk will review the wording of the e-petition to ensure it conforms with standing orders and confirm that the sponsoring member has agreed to sponsor the e-petition.
- (5) The sponsoring member must nominate a period (the posted period) that the e-petition will be available to sign on the Parliament's website and:
 - (a) the posted period must be a minimum of one week and a maximum of six months from the date of publication;

- (b) if the Assembly is due to expire under s 28(2) of the *Constitution Act 1975* within six months from the date of publication of an e-petition, the Clerk will determine the maximum posted period;
 - (c) the sponsoring member may request the Clerk to change the posted period before it ends, provided the maximum period is not exceeded.
- (6) A member must not sign an e-petition they have sponsored.
 - (7) Once published, an e-petition cannot be altered but the sponsoring member may request the Clerk withdraw it.
 - (8) Residents of Victoria may become signatories to an e-petition by electronically providing their name, address and signifying their intention to join the e-petition.
 - (9) The Clerk will table the e-petition on the next sitting day after the posted period has ended.
 - (10) E-petitions about the same issue and requesting the same action are not allowed simultaneously. However, once an e-petition has been tabled, a new e-petition can be started.

18 Motion to disallow a pandemic order and requirement for a joint sitting

- (1) After a member has given notice of a motion to disallow in whole or in part a pandemic order or instrument in accordance with s 165AU of the *Public Health and Wellbeing Act 2008*, a minister must move a motion to hold a joint sitting to consider the disallowance motion. The minister must move the motion by the end of the next sitting day after notice of the disallowance motion is given.
- (2) A motion to hold a joint sitting can be moved without notice or leave at any break in business.
- (3) Debate on a motion to hold a joint sitting will last for a maximum of 30 minutes or until six members have spoken, whichever is the shorter.

(*Mary-Anne Thomas*) — and, after debate —

James Newbury circulated amendments to be proposed to the motion.

Ellen Sandell circulated amendments to be proposed to the motion.

And, after debate —

Amendments proposed —

Sessional Order 3

- 1 After 'General business' where second occurring insert the following new paragraph:

'Regional sitting days

Question time

Formal business

Statements by members

Government business

General business'.

Sessional Order 11

- 2 Before 'Standing' insert '(1)'.

- 3 After 'relevant.' insert the following new paragraphs:

'(2) The Speaker may determine that an answer to an oral question without notice or supplementary oral question is not responsive to the question, and may accordingly direct the minister to provide a written response to the question and lodge it with the Speaker by 2.00 pm the next sitting day. The Speaker will forward the written response to the member who asked the question and the Clerk must electronically publish the response.

(3) The Speaker will determine the adequacy of a written response to a question provided under this sessional order. The Speaker may determine that a written response does not appropriately answer the question and may direct that the minister provide another written response by 2.00 pm the next sitting day. The Speaker will forward the written response to the member who asked the question and the Clerk must electronically publish the response.' —

(James Newbury) — and, after debate —

Amendments proposed —

Sessional Order 3

- 1 In paragraph (1) omit '(1)'.
- 2 In paragraph (1) under 'Wednesdays', omit 'Matter of public importance or grievance debate (4.00 pm)' and insert 'Non-government business (4.00 pm)'.
- 3 Omit paragraphs (2) and (3).

New sessional orders

- 4 Insert the following new sessional orders —

‘19 Non-government business

In addition to the items set out in SO 34(2), government business also does not take precedence in relation to non-government business under this sessional order.

Standing Orders 34(2)(d), (e) and (f), 37, 38 and 39 are suspended and the following applies:

- (1) Non-government business includes notices of motion and orders of the day moved by members who are not members of the party or coalition in government.
- (2) Subject to paragraph (3), every sitting Wednesday, the Chair will interrupt the House at 4.00 pm and the House will consider non-government business for two hours.
- (3) If a division is taking place when the time for the interruption arises, the division will be completed and the result announced. If the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with. The Chair will then interrupt business.
- (4) Any business under discussion and not completed at the interruption will be resumed immediately at the end of the two hours, and any member speaking at the time of the interruption may then continue their speech.

20 Order of consideration of non-government business

- (1) On the sitting day immediately prior to each sitting Wednesday, a member who is not a member of the party or coalition in government may move, without notice or leave, a motion specifying items of non-government business to have precedence on the next sitting day.
- (2) Over the course of a parliament, the specified items proposed by each non-government party and independent member must be proportional to the number of independent members and members representing non-government parties in the House.
- (3) The debate will last for 30 minutes or until six members have spoken, whichever is the shorter.
- (4) If a motion is not moved or agreed to, the House will consider non-government business in the order it is set down on the notice paper under general business.’ —

(Ellen Sandell) — and, after debate —

Sessional Orders 1 and 2 agreed to.

Sessional Order 3

Question — That the expression proposed to be omitted by Ellen Sandell's amendment No 1 stands part of the question — put.

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

AYES 78

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

NOES 4

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

Question agreed to.

Question — That James Newbury's amendment No 1 be agreed to — put.

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

AYES 29

Brad Battin; Jade Benham; Roma Britnell; Martin Cameron; Annabelle Cleeland; Chris Crewther; Gabrielle de Vietri; 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; David Southwick; Bill Tilley; Bridget Vallence; Peter Walsh; Kim Wells; Jess Wilson.

NOES 53

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; Meng Heang Tak; Mathew Hilakari; Melissa Horne; Natalie Hutchins; Lauren Kathage; Sonya Kilkeny; 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; Jackson Taylor; Nina Taylor; Kat Theophanous; Mary-Anne Thomas; Emma Vulin; Iwan Walters; Dylan Wight; Belinda Wilson.

Question defeated.

Sessional Order 3 agreed to.

Sessional Orders 4 to 10 agreed to.

Sessional Order 11

Question — That James Newbury's amendment No 2 be agreed to — put.

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

AYES 29

Brad Battin; Jade Benham; Roma Britnell; Martin Cameron; Annabelle Cleeland; Chris Crewther; Gabrielle de Vietri; 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; David Southwick; Bill Tilley; Bridget Vallence; Peter Walsh; Kim Wells; Jess Wilson.

NOES 53

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; Meng Heang Tak; 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; Jackson Taylor; Nina Taylor; Kat Theophanous; Mary-Anne Thomas; Emma Vulin; Iwan Walters; Dylan Wight; Belinda Wilson.

Question defeated.

Sessional Order 11 agreed to.

Sessional Orders 12 to 18 agreed to.

Question — That the sessional orders be adopted to come into operation tomorrow — put and agreed to.

- 14 **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.

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

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

- 15 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Anthony Carbines*) — put and agreed to.
- 16 **ADJOURNMENT** — After debate, the Deputy Speaker left the Chair at 7.39 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker

No 4 — Wednesday 8 February 2023

The House started at 9.30 am.

- 1 The House met according to the resolution of the House on 7 February 2023 — The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** — Motion made, by leave, and question — That Kathleen Matthews-Ward, Kim O’Keeffe and Iwan Walters be members of the Scrutiny of Acts and Regulations Committee (*Mary-Anne Thomas*) — put and agreed to.
- 3 **STATEMENTS BY MEMBERS** — Members made statements.
- 4 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Members made statements on committee reports.
- 5 **HEALTH LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2023** — Mary-Anne Thomas 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 (*Mary-Anne Thomas*).

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 February 2023.
- 6 **HUMAN SOURCE MANAGEMENT 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 (*Cindy McLeish*) — put and agreed to.

Ordered — That the debate be adjourned for two weeks. Debate adjourned until 22 February 2023.

- 7 **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.

Business interrupted at 2.00 pm under standing orders.

- 8 **QUESTION TIME.**

- 9 **ADDRESS-IN-REPLY TO THE GOVERNOR’S SPEECH** — Debate continued on question — That the Address (*as detailed above*) be agreed to by this House.

Business interrupted at 7.00 pm under sessional orders.

Motion made and question — That the sitting be continued (*Mary-Anne Thomas*) — put and agreed to.

Debate continued on question — That the Address (*as detailed above*) be agreed to by this House.

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.

- 10 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ros Spence*) — put and agreed to.
- 11 **ADJOURNMENT** — After debate, the Deputy Speaker left the Chair at 7.34 pm.

No 5 — Thursday 9 February 2023

The House started at 9.30 am.

- 1 The Speaker took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **ACTING SPEAKERS** — The Speaker tabled the following warrant:

PANEL OF ACTING SPEAKERS

Under Standing Order 20, I appoint Jordan Crugnale, Paul Edbrooke and Michaela Settle to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrant of 7 February 2023.

Maree Edwards MP
SPEAKER
9 February 2023.

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

Emerald Tourist Railway Board (Puffing Billy Railway) — Report 2021–22

Members of Parliament (Standards) Act 1978 — Register of Interests — Returns submitted by Members of the Legislative Assembly — Primary Returns 16 January 2023 — Ordered to be published

Mine Land Rehabilitation Authority — Report 2021–22

Racing Integrity Commissioner — Report 2021–22

Victorian Racing Integrity Board — Report 2021–22.

- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until 21 February 2023 (*Danny Pearson*) — put and agreed to.
- 5 **STATEMENTS BY MEMBERS** — Members made statements.
- 6 **RACING AMENDMENT (UNAUTHORISED ACCESS) BILL 2022** — 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 (*Ros Spence*) — put and agreed to.

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

- 7 **BUILDING AND PLANNING LEGISLATION AMENDMENT BILL 2022** — 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 the Minister:

- (1) consults with stakeholders including the Australian Institute of Architects about possible time delays incurred by the Board in examining proof of insurance for architects already registered in Victoria;
- (2) provides clarity about the range of criminal sanctions that would be considered in assessing registration applications; and
- (3) consults with Green Wedge advocacy groups and relevant Local Government Areas on steps to further protect Green Wedge areas.’ —

(David Hodgett) — and, after debate —

Business interrupted at 2.00 pm under standing orders.

- 8 **QUESTION TIME.**

- 9 **BUILDING AND PLANNING LEGISLATION AMENDMENT BILL 2022** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on 7 February 2023 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 57

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; Gabrielle de Vietri; Paul Edbrooke; Will Fowles; Matt Fregon; Ella George; Luba Grigorovitch; Bronwyn Halfpenny; Katie Hall; Paul Hamer; Martha Haylett; Meng Heang Tak; 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; Danny Pearson; Tim Read; Pauline Richards; Tim Richardson; Ellen Sandell; Michaela Settle; Ros Spence; Nick Staikos; Natalie Suleyman; Jackson Taylor; Nina Taylor; Kat Theophanous; Mary-Anne Thomas; Emma Vulin; Iwan Walters; Vicki Ward; Dylan Wight; Gabrielle Williams; Belinda Wilson.

NOES 21

Brad Battin; Roma Britnell; Chris Crewther; 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; Ryan Smith; David Southwick; Bill Tilley; Bridget Vallence; Peter Walsh; Kim Wells; Jess Wilson.

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.

- 10 **RACING AMENDMENT (UNAUTHORISED ACCESS) BILL 2022** — 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.

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

AYES 74

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

NOES 4

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

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business interrupted at 5.09 pm under sessional orders.

- 11 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, left the Chair at 5.35 pm.

BRIDGET NOONAN
Clerk of the Legislative Assembly

MAREE EDWARDS MP
Speaker