

Authorised Version



Victoria

COVID-19 Omnibus (Emergency Measures) Act 2020[†]

No. 11 of 2020

[Assented to 24 April 2020]

The Parliament of Victoria enacts:

Chapter 1—Preliminary

1 Purpose

The purpose of this Act is to temporarily amend certain Acts, and to temporarily empower the making of regulations, to modify the application of the law of Victoria in certain respects for the purpose of responding to the COVID-19 pandemic.

Part 5.5—Amendment of Planning and Environment Act 1987

58 New Part 10A inserted

After Part 10 of the **Planning and Environment Act 1987** insert—

"Part 10A—COVID-19 temporary measures

Division 1—Preliminary

204 Purpose and effect of Part

- (1) The purpose of this Part is to temporarily change the operation of this Act in response to the COVID-19 pandemic.
- (2) This Part applies despite anything to the contrary in—
 - (a) another Part of this Act; or
 - (b) any other Act, other than—
 - (i) the Charter of Human Rights and Responsibilities; or
 - (ii) the **COVID-19 Omnibus (Emergency Measures) Act 2020**; or
 - (iii) the **Constitution Act 1975**; or
 - (c) any subordinate instrument, other than a subordinate instrument made under—
 - (i) the Charter of Human Rights and Responsibilities; or
 - (ii) the **COVID-19 Omnibus (Emergency Measures) Act 2020**; or

205B Modified rules about panel hearings

- (1) A requirement under section 160 that a panel must conduct its hearings in public is taken to be satisfied if the panel makes the hearing available to be viewed free of charge by the general public by electronic means, either while the hearing is being held or as soon as reasonably practicable afterwards.
- (2) For the purposes of subsection (1), the hearing may be made available—
 - (a) by electronic means on an Internet site; or
 - (b) by other electronic means.
- (3) Despite section 162, if a person has a right to be heard by a panel or is called by a panel—
 - (a) the panel is not required to hear the person in person, but may instead require the person or their representative to appear and be heard at a specified time by electronic means; and
 - (b) if the panel so requires, the reference in section 163 to the person not being present or represented at the time and place appointed for the hearing of the submission is taken instead to be a reference to neither the person nor their representative being available to appear and be heard by electronic means at the specified time.

Division 3—Repeal of Part

205C Repeal of Part

This Part is **repealed** on the day that is 6 months after its commencement."

Second reading

Mr ANDREWS (Mulgrave—Premier) (09:55): I move:

That this bill be now read a second time.

I ask that my second-reading speech be incorporated into *Hansard*.

Incorporated speech as follows:

The last time this place met, we knew we were on the verge of an unprecedented challenge.

And yet, as much as we knew, we could never have imagined the drastic change—and the devastating tragedy—that has unfolded in so short a span of time.

The impact of the coronavirus (COVID-19) pandemic is without rival.

And like the rest of the world, we are grappling with a challenge the likes of which we have never seen before.

As a state, we must be prepared to do what we can to slow the spread of the virus—to keep our families and friends and communities safe—while also addressing its far-reaching social and economic impacts.

To that effect, this Bill includes urgent measures to enact a number of policies across a range of portfolios.

At the heart of each of these measures though, is a singular aim: to support our state's response to, and recovery from, COVID-19.

The Bill provides flexibility to adjust processes and adopt different ways of delivering critical services. These reforms will minimise the risk of transmission of COVID-19 and revise procedures and practices to ensure critical services can continue operating safely.

The majority of reforms will sunset six months after their commencement and cannot be extended. This reinforces the time limited nature of this Bill's emergency response measures. There are however some exceptions. Commencement of provisions in the *Environment Protection Amendment Act 2018* and the *Residential Tenancies Amendment Act 2018* will be delayed, and registration periods for infringement fines and extensions of teacher and education training provider registrations, as well as the additional Youth Parole Board appointments, will be extended.

...

Planning and Environment Act 1987

It is critical that Victoria's planning system continues to operate during the COVID-19 restrictions, to send a strong signal to the community, industry and investors that planning remains open for business. The Bill will amend the *Planning and Environment Act 1987* to enable requirements to make planning scheme amendments, planning permit applications and other documents physically available for inspection to be satisfied by displaying these documents on an Internet site. It will also enable planning panels to conduct hearings by video conference or in other ways.

...

The Bill will commence on assent. Transitional arrangements will enable only certain necessary action taken under these extraordinary provisions to remain valid after their sunset.

Today—just as we are asking Victorians to play their role—we must do the same. As representatives on behalf of our communities, and as representatives on behalf of our state.

This is a Bill like no other.

It enacts a number of reforms critical to our state's response to COVID-19. Even more importantly, it enables us to help slow the spread—and save lives.

Each of us should be aware of the critical juncture at which we find ourselves.

We should acknowledge keenly the impact of our decision-making on the lives of Victorians.

And we should each feel the weight of the immense responsibility that rests upon our shoulders.

We do not have time to waste.

I commend the Bill to the house.