



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 42 — Wednesday, 13 November 2019

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- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
 - 2 **CRIMES AMENDMENT (ABOLITION OF BLASPHEMY) BILL 2019** — Ms Patten introduced A *Bill to abolish the common law offences of blasphemy and blasphemous libel*.
On the motion of Ms Patten, the Bill was read a first time and ordered to be read a second time on the next day of meeting.
 - 3 **PAPERS PURSUANT TO STATUTE** — The following Papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk:
 - Auditor-General's Reports on —
 - the Annual Financial Report of the State of Victoria, 2018-19, November 2019 (*Ordered to be published*).
 - Council Libraries, November 2019 (*Ordered to be published*).
 - Commission for Children and Young People — Lost, not forgotten: Inquiry into children who died by suicide and were known to Child Protection, October 2019 (*Ordered to be published*).
 - Ombudsman — Investigation into improper conduct by a Council employee at the Mildura Cemetery Trust, November 2019 (*Ordered to be published*).
 - 4 **LEGAL AND SOCIAL ISSUES COMMITTEE — EXTENSION TO REPORTING DATE — INQUIRY INTO HOMELESSNESS IN VICTORIA** — Ms Patten moved, by leave, That the Resolution of the Council of 7 June 2019 requiring the Legal and Social Issues Committee to inquire into, consider and report, within 12 months, on the state of homelessness in Victoria, be amended so as to now require the Committee to present its report by 17 November 2020.
Question — put and agreed to.
 - 5 **LEGAL AND SOCIAL ISSUES COMMITTEE — EXTENSION TO REPORTING DATE — INQUIRY INTO THE USE OF CANNABIS IN VICTORIA** — Ms Patten moved, by leave, That the Resolution of the Council of 30 May 2019 requiring the Legal and Social Issues Committee to inquire into, consider and report, by no later than 2 March 2020, on the use of cannabis in Victoria, be amended so as to now require the Committee to present its report no later than 31 March 2021.
Question — put and agreed to.
 - 6 **LEGAL AND SOCIAL ISSUES COMMITTEE — EXTENSION TO REPORTING DATE — INQUIRY INTO MANAGEMENT OF CHILD SEX OFFENDER INFORMATION** — Ms Patten moved, by leave, That the Resolution of the Council of 28 August 2019 requiring the Legal and Social Issues Committee to inquire into, consider and report, by no later than 30 June 2020, on the management of child sex offender information, be amended so as to now require the Committee to present its report no later than 30 June 2021.
Question — put and agreed to.

7 MEMBERS' STATEMENTS — Statements were made by Members pursuant to Standing Order 5.13.

8 DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (PILL TESTING PILOT FOR DRUG HARM REDUCTION) BILL 2019 — Dr Ratnam, and also on behalf of Ms Patten, laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Dr Ratnam, and also on behalf of Ms Patten, moved, That the Bill be now read a second time. On the motion of Ms Stitt, the debate was adjourned for two weeks.

9 PLANNING AND ENVIRONMENT AMENDMENT (LOCAL DEMOCRACY) BILL 2019 — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Davis were circulated.

Question — put.

The Council divided — The President in the Chair.

AYES, 18

Mr Atkinson; Mr Barton; Ms Bath; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr Meddick; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.

(Tellers: Mr Limbrick and Dr Ratnam)

NOES, 22

Mr Bourman; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Maxwell; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

(Tellers: Dr Kieu and Ms Taylor)

Question negatived.

Business having been interrupted at 12.00 noon pursuant to Sessional Orders —

10 QUESTIONS AND MINISTERS' STATEMENTS — Questions without notice were taken and Ministers' Statements were made pursuant to Sessional Order 13.

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QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed written responses be provided to questions without notice pursuant to Standing Order 8.07 as follows:

- **Native timber logging ban** — substantive question asked by Mr Limbrick — response from Mr Jennings due Friday, 15 November 2019.
- **1080 aerial baiting licence** — substantive question asked by Mr Meddick — response from Mr Jennings due Friday, 15 November 2019.
- **Portland District Hospital Cyber Security** — substantive question asked by Ms Crozier — response from Ms Mikakos due Friday, 15 November 2019.

11 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08.

12 NATIVE TIMBER INDUSTRY — Ms Bath moved, That this House condemns the Andrews Labor Government for sacrificing the livelihood of thousands of Victorians and their families through the closure of the native timber industry, and notes —

- (1) the Government's decision is politically motivated and driven by Labor's reliance on Greens' preferences;
- (2) plantation timber cannot meet the needs of markets currently supplied by native hardwood timber by 2030;
- (3) native timber production in Victoria is a sustainable and internationally accredited industry which provides employment for up to 21,000 workers;
- (4) closure of the industry will have a devastating impact on towns like Orbost, Heyfield, Powelltown, Benalla and Corryong;
- (5) Victoria's timber industry harvests less than 0.04 per cent of the forest estate each year, or four out of every 10,000 trees;

- (6) the Government's decision to close the industry will increase the need to import timber that is not harvested under the same strict environmental accreditations as in Victoria;
- (7) the timber industry plays a vital role in bushfire preparedness and fighting bushfires;
- (8) research from the International Panel on Climate Change released in August 2019, which states "A sustainable forest management strategy aimed at maintaining or increasing forest carbon stocks, while producing an annual sustained yield of timber, fibre or energy from the forest, will generate the largest sustained mitigation benefit";

and calls on the Government to stand up for Victorian workers and Victorian industry and rescind its decision to close the native timber industry

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 16

Mr Atkinson; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Ms Lovell; Mr Limbrick; Ms Maxwell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Mr Rich-Phillips; Ms Wooldridge.

(Tellers: Ms Lovell and Mr O'Donohue)

NOES, 23

Dr Cumming; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

(Tellers: Dr Cumming and Ms Stitt)

Question negatived.

13 BUSINESS POSTPONED — Ordered — That the consideration of Notice of Motion, General Business, No. 195, be postponed until later this day.

14 COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT BILL 2019 — Debate resumed on the question, That the Bill be now read a second time.

Business having been interrupted at 5.15 p.m. pursuant to Sessional Orders —

15 STATEMENTS ON REPORTS, PAPERS AND PETITIONS — Statements on reports, papers and petitions were made by Members pursuant to Sessional Order 16.

16 ADJOURNMENT — Ms Symes moved, That the House do now adjourn.

Debate ensued and responses to certain Adjournment matters were circulated pursuant to Standing Order 4.13.

And then the Council, at 6.18 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council