



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

No. 127 — Wednesday, 13 October 2021

Proof Version

1 The President took the Chair at 2.35 p.m., read the Prayer and made an Acknowledgement of Country.

2 **PETITIONS —**

BREAST SCREENING PROGRAM — Mr Davis presented a Petition bearing 21 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to reverse the cuts to women’s health protection services and fully fund the breast screening program so all women, at all times, have access to this essential program.

Ordered to lie on the Table.

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HALT PLANNING APPLICATION ON DELTA AVENUE, COBURG NORTH — Mr Ondarchie presented a Petition bearing 28 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to halt the Moreland City Council’s planning application MPS/2008/294/A at 20-22 Delta Avenue, Coburg North to allow for full and open consultation with the local residents and property owners.

Ordered to lie on the Table.

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 —

Administration of Victorian Law Courts, October 2021 (*Ordered to be published*).

Protecting Victoria’s Biodiversity, October 2021 (*Ordered to be published*).

Planning and Environment Act 1987 — Notices of Approval of the following amendments to Victoria Planning Provisions — Amendments VC202 and VC212.

4 **MEMBERS’ STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13 and further statements were received from Members for incorporation in Hansard pursuant to an Order of the Council of 7 September 2021.

5 **PLANNING AND ENVIRONMENT AMENDMENT BILL 2021** — Mr Hayes laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Mr Hayes moved, That the Bill be now read a second time.

Business having been interrupted at 3.00 p.m. pursuant to an Order of the Council of 5 October 2021 —

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

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

- **Western suburbs tram network** — substantive and supplementary questions asked by Dr Cumming — response from Ms Pulford due Friday, 15 October 2021.
- **ESTA investigation into emergency call** — substantive question asked by Ms Lovell — response from Ms Symes due Thursday, 14 October 2021.
- **Victims of crime assistance scheme** — substantive and supplementary questions asked by Mr Grimley — response from Ms Tierney due Friday, 15 October 2021.
- **Recycling to landfill** — substantive and supplementary questions asked by Mr Hayes — response from Mr Leane due Friday, 15 October 2021.
- **School camp operators** — substantive question asked by Ms Crozier — response from Ms Pulford due Thursday, 14 October 2021.

7 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08 and further questions were received from Members for incorporation in Hansard pursuant to an Order of the Council of 7 September 2021.

8 PLANNING AND ENVIRONMENT AMENDMENT BILL 2021 — Debate continued on the question, That the Bill be now read a second time.

On the motion of Ms Taylor, the debate was adjourned for two weeks.

9 LOCAL GOVERNMENT AMENDMENT (RATES AND CHARGES) BILL 2021 — Mr Davis laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Mr Davis moved, That the Bill be now read a second time.

On the motion of Ms Taylor, the debate was adjourned for two weeks.

10 JOB LOSSES — Mr Ondarchie (for Mr Davis) moved, That this House expresses its concern that Victoria is responsible for almost three-quarters of all Australian payroll jobs lost according to the most recent Australian Bureau of Statistics data.

Debate ensued.

Question — put and agreed to.

11 BUSINESS POSTPONED — Ordered — That the consideration of Order of the Day, General Business, No. 3, be postponed until later this day.

12 REVOCATION OF MINISTER'S CONSENT TO BEACH ENERGY LIMITED OPERATIONS IN PORT CAMPBELL NATIONAL PARK — Dr Ratnam moved, That this House, pursuant to section 40(6) of the *National Parks Act 1975*, revokes the Minister's consent to Beach Energy Limited conducting operations within Port Campbell National Park under the *Petroleum Act 1998*.

Debate ensued.

Business having been interrupted at 6.00 p.m. pursuant to an Order of the Council of 5 October 2021 —

[Sitting suspended from 6.00 p.m. to 6.30 p.m.]

Debate continued.

Question — put.

The Council divided — The President in the Chair.

AYES, 4

Mr Hayes; Mr Meddick; Ms Patten; Dr Ratnam.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 30

Mr Atkinson; Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmir; Mr Erdogan; Mr Finn; Mr Grimley; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr Melhem; Mr Ondarchie; Ms Pulford; Mr Quilty; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question negatived.

13 BUSINESS POSTPONED — Ordered — That the consideration of Notice of Motion, General Business, No. 631, be postponed until later this day.

14 PRODUCTION OF DOCUMENTS — CLOSURE OF THE VICTORIAN NATIVE TIMBER INDUSTRY — Mr Bourman moved, That this House, in accordance with Standing Order 11.01, requires the Leader of the Government to table in the Council, by 12 noon on Wednesday, 1 December 2021, all documents relating to the arrangements to close the Victorian Native Timber Industry, including but not limited to —

- (1) the analysis and data sets used by —
 - (a) VicForests in determining the advice forwarded to the Minister for Agriculture, Hon Mary-Anne Thomas MP, regarding the closure of the Victorian Native Timber Industry;
 - (b) the Department of Environment, Land, Water and Planning in determining the advice forwarded to the Minister for Energy, Environment and Climate Change, Hon Lily D'Ambrosio MP, regarding the closure of the Victorian Native Timber Industry;
- (2) all advice from the Department of Jobs, Precincts and Regions provided to the Minister for Agriculture regarding the closure of the Victorian Native Timber Industry, including but not limited to the impact on regional jobs, both direct and downstream;
- (3) documentation outlining the impact the closure of the Victorian Native Timber Industry will have on timber supply;
- (4) documents outlining the impact on the environment caused by sourcing timber from new supply sources; and
- (5) all other correspondence from stakeholders relating to the closure of the Victorian Native Timber Industry.

Debate ensued.

Question — put and agreed to.

Business having been interrupted at 9.00 p.m. pursuant to an Order of the Council on 5 October 2021.

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

16 ADJOURNMENT — Mr Leane moved, That the House do now adjourn.

Debate ensued and further adjournment matters were received from Members for incorporation in Hansard pursuant to an Order of the Council of 7 September 2021.

And then the Council, at 9.44 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council