



# LEGISLATIVE COUNCIL

## MINUTES OF THE PROCEEDINGS

### No. 52 — Thursday, 20 February 2020

*Proof Version*

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- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
  - 2 **ASSENT TO ACT** — The President read a Message from the Governor informing the Council that she had, on 19 February 2020, given the Royal Assent to the following Act presented to her by the Clerk of the Parliaments:  
*Local Government (Casey City Council) Act 2020.*

- 3 **PETITIONS** —

**PAINTBALL GAMES FACILITY, GEORGES CREEK** — Mr Bourman presented a Petition bearing 9 signatures from certain citizens of Victoria requesting that the Legislative Council call on Towong Shire Council to reconsider the recent paintball games facility at Georges Creek application and work together to allow the applicants to provide a venue that is beneficial to the wider community.

Ordered to lie on the Table.

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**VICTORIAN NATIVE TIMBER INDUSTRY** — Mr Bourman presented a Petition bearing 388 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to reverse its decision to shut down the Victorian native timber industry, save these critical regional jobs and proactively work with industry into the future.

Ordered to lie on the Table.

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**CEASE LOGGING IN STATE FORESTS** — Dr Ratnam presented a Petition bearing 633 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to cease logging of state forest areas in Kinglake and the Central Highlands by July 2020, assist employees and contractors who work directly in the native forest logging industry to transition to related industries, including plantation timber industry and forest restoration work, and offer compensation to workers to exit the industry.

Ordered to lie on the Table.

- 4 **PAPER PURSUANT TO A STATUTE** — The following Paper, pursuant to the direction of an Act of Parliament, was laid on the Table by the Clerk:  
Family Violence Protection Act 2008 — Report on implementation of the Family Violence Risk Assessment and Management Framework, 2018-19.

- 5 **PRODUCTION OF DOCUMENTS — BUSHFIRE FUEL LOAD MAPS** — The Clerk laid on the Table a letter from the Attorney-General, dated 19 February 2020, in response to the Resolution of the Council of 27 November 2019 relating to bushfire fuel load maps, making a claim of Executive Privilege in full in relation to three of the four documents identified and noting that the fourth document will not be released as it is already in the public domain.

On the motion of Mr Davis, the Attorney-General's letter was ordered to be taken into consideration on the next day of meeting.

- 6 SITTING OF THE COUNCIL** — Ms Pulford moved, That the Council, at its rising, adjourn until Tuesday, 3 March 2020.  
Question — put and agreed to.
- 7 ECONOMY AND INFRASTRUCTURE COMMITTEE — EXTENSION TO REPORTING DATE — INQUIRY INTO EXPANDING MELBOURNE'S FREE TRAM ZONE** — Mr Elasmар moved, by leave, That the Resolution of the Council of 5 June 2019 requiring the Economy and Infrastructure Committee to inquire into and report, within 12 months, on Melbourne's public transport, be amended so as to now require the Committee to present its report by 1 September 2020.  
Question — put and agreed to.
- 8 ECONOMY AND INFRASTRUCTURE COMMITTEE — EXTENSION TO REPORTING DATE — INQUIRY INTO THE INCREASE IN VICTORIA'S ROAD TOLL** — Mr Elasmар moved, by leave, That the Resolutions of the Council of 5 June 2019 and 13 August 2019 requiring the Economy and Infrastructure Committee to inquire into and report, by 1 July 2020, on the increase in the Victorian road toll in 2019, be amended so as to now require the Committee to present its report by 17 November 2020.  
Question — put and agreed to.
- 9 MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13.
- 10 BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 196 to 207, be postponed until later this day.
- 11 GENDER EQUALITY BILL 2019** — Debate resumed on the question, That the Bill be now read a second time.  
Amendments proposed to be moved in Committee by Ms Crozier were circulated.  
*Business having been interrupted at 12.00 noon pursuant to Sessional Orders —*
- 12 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:

- **Renewable energy targets** — substantive and supplementary questions asked by Dr Ratnam — response from Mr Jennings due Monday, 24 February 2020.
- **Stamp duty** — substantive and supplementary questions asked by Mr Quilty — response from Mr Jennings due Monday, 24 February 2020.

- 13 CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08.
- 14 GENDER EQUALITY BILL 2019** — Debate continued on the question, That the Bill be now read a second time.  
Question — put.  
The Council divided — The President in the Chair.

AYES, 36

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmар; Mr Erdogan; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Ms Patten; Ms Pulford; Dr Ratnam; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(Tellers: Ms Garrett and Ms Stitt)

NOES, 2

Mr Limbrick; Mr Quilty.

(Tellers: Mr Limbrick and Mr Quilty)

Question agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Bill reported without amendment, the Report was adopted.

Ms Mikakos moved, That the Bill be now read a third time.

Question — That the Bill be now read a third time and do pass — put.

The Council divided — The President in the Chair.

AYES, 35

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Ms Patten; Ms Pulford; Dr Ratnam; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(Tellers: Ms Terpstra and Ms Vaghela)

NOES, 2

Mr Limbrick; Mr Quilty.

(Tellers: Mr Limbrick and Mr Quilty)

Question agreed to.

Bill read a third time.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

**15 FORESTS LEGISLATION AMENDMENT (COMPLIANCE AND ENFORCEMENT) BILL 2019 —**

The President read a Message from the Assembly presenting *A Bill for an Act to amend the Forests Act 1958, the Sustainable Forests (Timber) Act 2004 and the Conservation, Forests and Lands Act 1987 and for other purposes* and requesting the agreement of the Council.

On the motion of Mr Jennings (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Mr Jennings laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Mr Jennings, the second reading speech was incorporated into Hansard.

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

On the motion of Mr Davis (for Mr Rich-Phillips), the debate was adjourned for one week.

**16 GREAT OCEAN ROAD AND ENVIRONS PROTECTION BILL 2019 —**

The President read a Message from the Assembly presenting *A Bill for an Act to recognise the importance of the landscapes and seascapes along the Great Ocean Road to the economic prosperity and liveability of Victoria and as one living and integrated natural entity for the purposes of protecting the region, to establish a Great Ocean Road Coast and Parks Authority to which various land management responsibilities are to be transferred and to make related and consequential amendments to other Acts and for other purposes* and requesting the agreement of the Council.

On the motion of Mr Jennings, the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Mr Jennings laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Mr Jennings, the second reading speech was incorporated into Hansard.

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

On the motion of Mr Davis (for Ms Wooldridge), the debate was adjourned for one week.

**17 JUSTICE LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019 —**

The President read a Message from the Assembly presenting *A Bill for an Act to amend the Criminal Procedure Act 2009, the Evidence Act 2008, the Evidence (Miscellaneous Provisions) Act 1958, the Local Government Act 1989, the Magistrates' Court Act 1989, the Oaths and Affirmations*

*Act 2018, the Professional Standards Act 2003, the Sentencing Act 1991 and the Supreme Court Act 1986 and for other purposes and requesting the agreement of the Council.*

On the motion of Mr Jennings (for Ms Tierney), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Mr Jennings laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Mr Jennings, the second reading speech was incorporated into Hansard.

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

On the motion of Mr Davis (for Mr O'Donohue), the debate was adjourned for one week.

**18 OWNERS CORPORATIONS AND OTHER ACTS AMENDMENT BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Owners Corporations Act 2006, the Retirement Villages Act 1986 and the Subdivision Act 1988 and for other purposes* and requesting the agreement of the Council.

On the motion of Mr Jennings (for Mr Somyurek), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Mr Jennings laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Mr Jennings, the second reading speech was incorporated into Hansard.

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

On the motion of Mr Davis (for Mr Rich-Phillips), the debate was adjourned for one week.

*Business having been interrupted at 6.30 p.m. pursuant to Sessional Order 1 —*

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On the motion of Ms Stitt, the meal break scheduled for this day, pursuant to Sessional Order 1, was suspended.

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**19 LOCAL GOVERNMENT BILL 2019** — Debate resumed on the question, That the Bill be now read a second time.

On the motion of Dr Ratnam, the debate was adjourned until the next day of meeting.

**20 ADJOURNMENT** — Mr Jennings moved, That the House do now adjourn.

Debate ensued and a response to an Adjournment matter was circulated pursuant to Standing Order 4.13.

And then the Council, at 7.20 p.m., adjourned until Tuesday, 3 March 2020.

ANDREW YOUNG  
Clerk of the Legislative Council