



Legislative Council Daily Summary

Thursday, 5 February 2009

LEGISLATION

For full text of bills and other associated documents please see www.parliament.vic.gov.au

The following bills were received on message from the Legislative Assembly:

- Criminal Procedure Bill 2008
- Equal Opportunity Amendment (Governance) Bill 2008

The following bills received their Second Reading:

- Criminal Procedure Bill 2008
- Equal Opportunity Amendment (Governance) Bill 2008

Debate was resumed on the Second Reading of the following bills:

- Serious Sex Offenders Monitoring Amendment Bill 2009
- Major Crime Legislation Amendment Bill 2008

The following bills were passed:

- Serious Sex Offenders Monitoring Amendment Bill 2009
- Major Crime Legislation Amendment Bill 2008

COMMITTEE REPORTS TABLED

No Committee Reports were tabled

SPECIAL REPORT TABLED

- Gambling Regulation Act 2003 — Report of the Gambling and Lotteries Review Panel to the Minister for Gaming in Relation to the Review of the Second Phase of the Regulatory Structure and Associated Arrangements for the Operation of Gaming Machines, Wagering, Approved Betting Competitions and Club Keno and the Funding of the Racing Industry that are to apply after 2012.

A full list of all papers tabled pursuant to Statute is available in the Minutes of the Proceedings.

PETITION

- Bayside Planning Scheme Amendment C58 — Ms Pennicuik (166 signatures)

MOTIONS

The following motion was debated:

- That the Council take note of the Annual Statement of Government Intentions for 2009

Notices were given of the following motions:

- **MS LOVELL** — To move —
That this House notes with great concern —
 - (1) the failure of the Brumby Government and the Minister for Housing and the Office of Housing to produce a Rental Report since the March 2008 quarter, which provides the public with important information about Victoria's private rental market, including the status of Victoria's private rental market, including rental prices and vacancy rates;
 - (2) the Government's failure to produce June, September and December 2008 quarterly rental reports resulting in a nine month period for which the status of Victoria's private rental market, including rental prices and vacancy rates, is relatively unknown;
 - (3) the Government's failure to ensure the release of these rental reports suggesting that it is attempting to hide the true extent of Victoria's housing crisis which it created; and
 - (4) the Government is denying the public their right to access this important housing information.
- **MRS COOTE** — To move —
That this House condemns the Brumby Government for failing to ensure the safety of Southern Metropolitan Region residents, and in particular notes the impact yet another summer of violent attacks is having on their well-being, as attackers continue to prey upon residents both young and old, male and female, during all times of the day and night.
- **MR BARBER** — To move —
That —
 - (1) A Select Committee of 7 Members be appointed to inquire into the factors leading to and causes of failures in the provision of metropolitan and V/Line train services.
 - (2) The Committee will consist of 3 Members from the Government Party nominated by the Leader of the Government, 3 Members from the Liberal/National Coalition nominated by the Leader of the Opposition and 1 Member from the Australian Greens nominated by the Australian Greens Whip.

- (3) The Members will be appointed by lodgement of the names with the President by the persons referred to in paragraph (2) no later than 4.00 p.m. on Friday, 27 February 2009.
- (4) The first meeting of the Committee must be held no later than 4.00 p.m. on Monday, 9 March 2009.
- (5) The Committee may proceed to the despatch of business notwithstanding that all Members have not been appointed and notwithstanding any vacancy.
- (6) 4 Members of the Committee will constitute a quorum of the Committee.
- (7) The Chair of the Committee will be a non-Government Member and the Deputy Chair will be a Government Member.
- (8) The Committee will advertise its terms of reference and call for submissions and all such submissions received by the Committee will be treated as public documents unless the Committee otherwise orders.
- (9) The Committee may commission persons to investigate and report to the Committee on any aspects of its inquiry.
- (10) The Committee will present its final report to the Council no later than 31 December 2009.
- (11) The presentation of a report or interim report of the Committee will not be deemed to terminate the Committee's appointment, powers or functions.
- (12) The foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and Sessional Orders or practices of the Council will have effect notwithstanding anything contained in the Standing or Sessional Orders or practices of the Council.

- **MRS COOTE** — To move —

That this House condemns the Brumby Government for the public transport service provided to Southern Metropolitan Region residents, particularly Bentleigh and Prahran Electorate residents, who are subjected to the abysmal service offered on the Frankston and Sandringham lines, respectively, with regard to the numbers of cancelled and delayed services, and the poor safety standards on services and at stations.

- **MR D.M. DAVIS** — To move —

That this House —

- (1) notes the refusal of the Government to comply fully with the Resolution of the Council of 29 October 2008 to table the Ministerial briefing documents specified in that Resolution on the grounds of Executive Privilege;
- (2) is of the firm opinion that the Council is fully entitled to scrutinize the activities of the Executive and demands accountability for all aspects of Executive behaviour;
- (3) rejects the Government's claim of Executive Privilege in relation to the documents not produced and notes with great concern the Government's apparent belief that it is not accountable to the Parliament of Victoria;

- (4) accordingly, censures the Leader of the Government as the representative of the Government in the Council for the Government's failure to fully comply with the Council's Resolution of 29 October 2008; and
- (5) demands that the Leader of the Government comply fully with the Resolution of the Council of 29 October 2008 and lodge the following documents with the Clerk by 2.00 pm on Tuesday, 10 March 2009 —
 - (a) 'Taxi policy initiatives' (ministerial briefing note MBN011023) registered by the former Department of Infrastructure on 2 April 2008;
 - (b) 'Registration and licensing system funding options' (ministerial briefing note MBN011037) registered by the former Department of Infrastructure on 3 April 2008;
 - (c) 'EastLink-ConnectEast DRP underwriting agreement -- novation' (ministerial briefing note MBN011047) registered by the former Department of Infrastructure on 3 April 2008;
 - (d) 'To advise the minister of the status of AusLink 2 projects identified as candidates for the commencement of expenditure ahead of 2009/102013/14' (ministerial briefing note MBN011055) registered by the former Department of Infrastructure on 8 April 2008;
 - (e) 'Metropolitan rail franchising (MR3) market engagement trip' (ministerial briefing note MBN011059) registered by the former Department of Infrastructure on 10 April 2008;
 - (f) 'Media interest and progress with grade separation study' (re Springvale Road, Nunawading, level crossing) (ministerial briefing note MBN011065) registered by the former Department of Infrastructure on 10 April 2008;
 - (g) 'Meeting with the CEO of the bus proprietors' (ministerial briefing note MBN011091) registered by the former Department of Infrastructure on 15 April 2008;
 - (h) '2009 fare changes strategy overview' (ministerial briefing note MBN011116) registered by the former Department of Infrastructure on 22 April 2008;
 - (i) 'Geelong and Frankston taxi depots' (ministerial briefing note MBN011141) registered by the former Department of Infrastructure on 28 April 2008;
 - (j) 'Status of the regional pilot of the NTS' (ministerial briefing note MBN011146) registered by the former Department of Infrastructure on 29 April 2008; and
 - (k) 'M1 heads of agreement' (ministerial briefing note MBN011159) registered by the Department of Transport on 30 April 2008.

The following notice of intention to make a statement on a report or paper was given:

- Gambling Regulation Act 2003 — Report of the Gambling and Lotteries Review Panel to the Minister for Gaming in Relation to the Review of the Second Phase of the Regulatory Structure and Associated Arrangements for the Operation of Gaming Machines, Wagering, Approved Betting

Competitions and Club Keno and the Funding of the Racing Industry that are to apply after 2012 (Mr Drum)

ALSO IN THE COUNCIL

Question Time

Members' Statements

Statements on Reports and Papers

Adjournment debate

The next sitting is on Tuesday, 24 February 2009 at 2.00 p.m.

The Legislative Council Daily Summary is prepared as a convenient summary of each day's proceedings. For a complete account please refer to the official record, the Minutes of Proceedings, available on Parliament's website www.parliament.vic.gov.au or through the Council Table Office.

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