



# Legislative Council Daily Summary

Wednesday, 11 March 2009

## LEGISLATION

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*For full text of bills and other associated documents please see [www.parliament.vic.gov.au](http://www.parliament.vic.gov.au)*

**The following bill was received on message from the Legislative Assembly:**

- Associations Incorporation Amendment Bill 2008

## COMMITTEE REPORTS TABLED

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No Committee Reports were tabled

## SPECIAL REPORTS TABLED

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- Ombudsman's Report on Crime statistics and police numbers, March 2009.

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

## PETITIONS

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- North-South Pipeline — Ms Lovell (28 signatures)
- Shepparton and Tatura Race Club — Ms Lovell (53 signatures)

## MOTIONS

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**The following motions were debated and agreed to in General Business:**

- That in accordance with Sessional Order 21, there be tabled in the Council by 4.00 p.m. on 31 March 2009 a copy of all reports, briefings, impact statements, including qualitative and/or quantitative assessments of the impact of alternate models of solar or other renewable energy feed in electricity tariffs and payment arrangements or structures, including the model adopted by the Victorian Government as referred to in recent policy statements and in the 2008 Statement of Government Intentions, and including all documents prepared for departmental officers and/or committees in the Department of Industry, Innovation and Regional

Development, the Department of Primary Industries and the Department of Sustainability and Environment and for the Minister for Environment and Climate Change and the Minister for Energy and Resources.

— Mr D. M. Davis

- 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, 31 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.

— Mr D. M. Davis

- That Amendment C118 to the Greater Geelong Planning Scheme be revoked.

— Ms Hartland

- 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, 20 March 2009.
- (4) The first meeting of the Committee must be held no later than 4.00 p.m. on Monday, 6 April 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 March 2010.
- (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.

— Mr Barber

**The following motion was debated and defeated in General Business:**

- That this House —
  - (1) expresses concern at the State Government's proposal to centralise rating authority valuations by amending the Valuation of Land Act 1960 as outlined in its discussion paper released by the Department of Sustainability and Environment, "The Future Direction of Rating Authority Valuations in Victoria";
  - (2) notes the conflict of interest that exists in the Government's plan which would see departmental officials, including the Valuer General, undertaking property valuations where the Government has an interest in the valuations as the base for its land tax collections;
  - (3) further notes that this proposal would, if implemented, further erode the rights of democratically elected local governments across Victoria; and
  - (4) calls on the Government to respond to the requests of many municipalities to withdraw its flawed proposal and retain the current rating valuation allowing municipalities to undertake their own property valuations.

— Mr D. M. Davis

**The following motion was debated in General Business:**

- That this House acknowledges the tragic impact of the recent bushfires on many Victorians and Victorian communities and notes the role and responsibilities of the State Government and the Royal Commission in the aftermath of the fires.

— Mr Hall

**The following notices of intention to make a statement on a report or paper were given:**

- Parks Victoria Report, 2007-08 (Mr P.R. Davis)
- Auditor-General's Report on Literacy and Numeracy Achievement, February 2009 (Mrs Kronberg)
- Rural and Regional Committee's Report on the Inquiry into Rural and Regional Tourism (Mr O'Donohue)
- Victoria Police Report, 2007-08 (Mr Eideh)

## **ALSO IN THE COUNCIL**

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**Question Time**

**Members' Statements**

**Adjournment debate**

**The next sitting is on Thursday, 12 March 2009 at 9.30 a.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](http://www.parliament.vic.gov.au) or through the Council Table Office.*

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