

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
No 1

No 1 — Tuesday 23 December 2014

- 1 **PROCLAMATION SUMMONING PARLIAMENT TO MEET** — The House met at 10.00 am in accordance with a Proclamation of the Governor dated 15 December 2014, which was read by the Clerk of the Legislative Assembly as follows:

PROCLAMATION

I, Alex Chernov, AC QC, Governor of the State of Victoria, acting under sections 8 and 20 of the *Constitution Act 1975* and all other powers vested in me, fix 23 December 2014 at 10.00 am as the time for the commencement and holding of the first session of the Fifty-eighth Parliament of Victoria for the dispatch of business, at Parliament House, Melbourne. The Members of the Legislative Council and the Members of the Legislative Assembly are required to attend at that time and place.

Given under my Hand and the Seal of the State of Victoria, at Melbourne, this 15th day of December 2014.

(LS)

ALEX CHERNOV
Governor

By His Excellency's Command
DANIEL ANDREWS MP
Premier of Victoria

- 2 **COMMISSION FOR THE COMMENCEMENT AND HOLDING OF THE PRESENT SESSION OF PARLIAMENT** — The Honourable Justice Christopher Maxwell, having entered the House and been conducted by the Serjeant-at-Arms to the Chair, said:

MEMBERS OF THE LEGISLATIVE ASSEMBLY:

The Governor has caused a Commission to be issued under the Seal of the State constituting his Commissioners to do in his name all that is necessary to be performed in this Parliament. This will more fully appear from the Commission which will now be read by the Clerk.

The Clerk read the Commission:

BY HIS EXCELLENCY THE HONOURABLE ALEX CHERNOV AC QC
GOVERNOR OF VICTORIA

TO THE HONOURABLE JUSTICE MARILYN WARREN AC
CHIEF JUSTICE OF VICTORIA

AND

TO THE HONOURABLE JUSTICE CHRISTOPHER MAXWELL
PRESIDENT OF THE COURT OF APPEAL

GREETING:

Acting under all available powers and with the consent of the Premier, I commission each of you, on my behalf, to open the first session of the Fifty-eighth Parliament at 10.00 am in the morning of Tuesday the twenty-third day of December 2014 and to do all other things that it is necessary or usual for me to do on the opening of a new Parliament (other than to give my speech).

Given under my hand and the seal of Victoria on this 19th day of December 2014.

(LS)

ALEX CHERNOV
Governor

By His Excellency's Command
DANIEL ANDREWS MP
Premier

- 3 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS** — The Honourable Justice Christopher Maxwell announced that he had received from the Governor a Commission to administer the Oath or Affirmation of Allegiance to Members of the Legislative Assembly, which the Clerk read as follows:

BY HIS EXCELLENCY THE HONOURABLE ALEX CHERNOV AC QC
GOVERNOR OF VICTORIA

TO THE HONOURABLE JUSTICE CHRISTOPHER MAXWELL
PRESIDENT OF THE COURT OF APPEAL

GREETING:

Acting under section 23 of the *Constitution Act 1975* I authorise you, in the Parliament Houses, Melbourne, on the twenty-third day of December 2014, to administer the prescribed Oath or Affirmation of allegiance to Members of the Legislative Assembly.

Given under my hand and the seal of Victoria on this 19th day of December 2014.

(LS)

ALEX CHERNOV
Governor

By His Excellency's Command
DANIEL ANDREWS MP
Premier

- 4 **WRIT** — The Clerk announced that a writ issued by the Governor for the election of members to serve in the Legislative Assembly of Victoria had been received from the Governor, duly endorsed with the returns and it appeared that the following members were elected for the districts listed opposite their respective names:

Albert Park	Martin Foley
Altona	Jill Hennessy
Bass	Brian Paynter
Bayswater	Heidi Victoria
Bellarine	Lisa Neville
Benambra	Bill Tilley
Bendigo East	Jacinta Allan
Bendigo West	Maree Edwards
Bentleigh	Nick Staikos

Box Hill	Robert Clark
Brighton	Louise Asher
Broadmeadows	Frank McGuire
Brunswick	Jane Garrett
Bulleen	Matthew Guy
Bundoora	Colin Brooks
Buninyong	Geoff Howard
Burwood	Graham Watt
Carrum	Sonya Kilkenny
Caulfield	David Southwick
Clarinda	Hong Lim
Cranbourne	Jude Perera
Croydon	David Hodgett
Dandenong	Gabrielle Williams
Eildon	Cindy McLeish
Eltham	Vicki Ward
Essendon	Danny Pearson
Euroa	Steph Ryan
Evelyn	Christine Fyffe
Ferntree Gully	Nick Wakeling
Footscray	Marsha Thomson
Forest Hill	Neil Angus
Frankston	Paul Edbrooke
Geelong	Christine Couzens
Gembrook	Brad Battin
Gippsland East	Tim Bull
Gippsland South	Peter Ryan
Hastings	Neale Burgess
Hawthorn	John Pesutto
Ivanhoe	Anthony Carbines
Kew	Tim Smith
Keysborough	Martin Pakula
Kororoit	Marlene Kairouz
Lara	John Eren
Lowan	Emma Kealy
Macedon	Mary-Anne Thomas
Malvern	Michael O'Brien
Melbourne	Ellen Sandell
Melton	Don Nardella
Mildura	Peter Crisp
Mill Park	Lily D'Ambrosio
Monbulk	James Merlino
Mordialloc	Tim Richardson
Mornington	David Morris
Morwell	Russell Northe
Mount Waverley	Michael Gidley
Mulgrave	Daniel Andrews
Murray Plains	Peter Walsh
Narracan	Gary Blackwood
Narre Warren North	Luke Donnellan
Narre Warren South	Judith Graley
Nepean	Martin Dixon
Niddrie	Ben Carroll
Northcote	Fiona Richardson
Oakleigh	Steve Dimopoulos
Ovens Valley	Tim McCurdy

Pascoe Vale	Lizzie Blandthorn
Polwarth	Terry Mulder
Prahran	Sam Hibbins
Preston	Robin Scott
Richmond	Richard Wynne
Ringwood	Dee Ryall
Ripon	Louise Staley
Rowville	Kim Wells
Sandringham	Murray Thompson
Shepparton	Suzanna Sheed
South Barwon	Andrew Katos
South-West Coast	Denis Napthine
St Albans	Natalie Suleyman
Sunbury	Josh Bull
Sydenham	Natalie Hutchins
Tarneit	Telmo Languiller
Thomastown	Bronwyn Halfpenny
Warrandyte	Ryan Smith
Wendouree	Sharon Knight
Werribee	Tim Pallas
Williamstown	Wade Noonan
Yan Yean	Danielle Green
Yuroke	Ros Spence.

- 5 **MEMBERS SWORN** — All of the above members took and subscribed the Oath or Affirmation as required by law except Mr Wynne (who was not present).

Then the Commissioner said:

MEMBERS OF THE LEGISLATIVE ASSEMBLY:

The Governor will attend the Parliament later this day to inform you and Members of the Legislative Council of the reasons for calling this Parliament together, and as it is necessary before you proceed with business that a Speaker of the Legislative Assembly be chosen, the Governor requests that you proceed to the choice of a Speaker.

The Commissioner then retired from the House.

- 6 **ELECTION OF SPEAKER** — Ms Thomson (*Footscray*) proposed the Member for Tarneit, Telmo Languiller, as Speaker of the Legislative Assembly and moved, that the Member for Tarneit take the Chair of this House as Speaker. The motion was seconded by Ms Green.

Mr Languiller accepted the nomination.

As no other member was proposed, the Clerk declared that the Member for Tarneit had been duly elected Speaker.

Mr Languiller was accompanied to the Chair by Ms Thomson (*Footscray*) and Ms Green, where he acknowledged the great honour conferred upon him. The Mace was then placed on the table.

Mr Andrews and Mr Guy congratulated the Speaker.

- 7 **ELECTION OF DEPUTY SPEAKER** — Ms Allan proposed the Member for Melton, Don Nardella, as Deputy Speaker and moved, that the Member for Melton be appointed Deputy Speaker of this House. The motion was seconded by Ms Knight.

Mr Nardella accepted the nomination.

As no other member was proposed, the Speaker announced that the Member for Melton had been duly elected Deputy Speaker.

8 **THE SPEAKER** — Left the Chair at 10.52 am, resumed it at 12.08 pm and read the Prayer.

9 **PRESENTATION OF THE SPEAKER** — The Speaker advised that he had today presented himself to the Governor as the choice of the Legislative Assembly and that the Governor had been pleased to address him in the following terms:

Speaker

I have pleasure in congratulating you on your election to the high and important office of Speaker of the Legislative Assembly.

The able manner in which you have discharged the duties you have undertaken during your parliamentary career is recognised by the members of the Legislative Assembly who in their wisdom have selected you as their Speaker.

I have confidence that you will fulfil the duties of this distinguished office and hold fast to its traditions and customs.

ALEX CHERNOV
Governor of Victoria

Melbourne
23 December 2014

10 **MESSAGE FROM THE GOVERNOR** — The following message was delivered by the Usher of the Black Rod:

Speaker:

The Governor desires the immediate attendance of the members of the Legislative Assembly in the Legislative Council Chamber.

Accordingly, the Speaker with the House went to attend the Governor — And having returned —

[The Speaker left the Chair at 12.15 pm and resumed it at 2.02 pm]

11 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS** — The Speaker announced that he had received a Commission from the Governor, which he read as follows:

BY HIS EXCELLENCY THE HONOURABLE ALEX CHERNOV AC QC
GOVERNOR OF VICTORIA

TO THE HONOURABLE TELMO LANGUILLER
SPEAKER OF THE LEGISLATIVE ASSEMBLY OF VICTORIA

GREETING:

Acting under section 23 of the *Constitution Act 1975* I authorise you, from time to time, in the Parliament Houses, Melbourne, to administer the prescribed Oath or Affirmation of allegiance to any Member of the Legislative Assembly who has not already taken and subscribed the same since his or her election to the Legislative Assembly.

Given under my hand and the Seal of Victoria on this 23rd day of December 2014.

(LS)

ALEX CHERNOV
Governor

By His Excellency's Command
DANIEL ANDREWS
Premier

12 **QUESTIONS** — (Under SO 55).

13 **BACK TO WORK BILL 2014** — Mr Pallas obtained leave to bring in a Bill *'for an Act to establish a Back to Work Scheme for the purpose of providing relief to employers in respect of the costs associated with hiring certain unemployed or retrenched workers and to make consequential amendments to the **Taxation Administration Act 1997** and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.

14 **EDUCATION AND TRAINING REFORM AMENDMENT (FUNDING OF NON-GOVERNMENT SCHOOLS) BILL 2014** — Mr Merlino obtained leave to bring in a Bill *'for an Act to amend the **Education and Training Reform Act 2006** to establish a transparent mechanism for State funding of non-Government schools and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

15 **WRONGS AMENDMENT (ASBESTOS RELATED CLAIMS) BILL 2014** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend Part VBA of the **Wrongs Act 1958** and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

16 **STATUTE LAW REPEALS BILL 2014** — Ms Allan obtained leave to bring in a Bill *'for an Act to repeal certain spent Acts'*; and the Bill was read a first time and ordered to be read a second time tomorrow.

17 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Australian Children's Education and Care Quality Authority — Report 2013–14

Crown Land (Reserves) Act 1978 — Order under s 17D granting leases over Park Lake Reserve

Drugs, Poisons and Controlled Substances Act 1981 — Documents under s 12H:

Poisons Code

Notice regarding amendment, commencement and availability of the Poisons Code

Parts of the Commonwealth standard that the Poisons Code incorporates by reference

Education and Care Services National Law Act 2010 — Report 2013–14 of the Education and Care Services Ombudsman, National Education and Care Services Freedom of Information and Privacy Commissioners

Financial Management Act 1994:

Budget Update 2014–15 incorporating Quarterly Financial Report No 1

Report from the Acting Minister for Planning that he had received the Report 2013–14 of the Architects Registration Board of Victoria

Independent Broad-based Anti-corruption Commission — Operation Fitzroy: An investigation into the conduct of former employees of the Department of Transport/Public Transport Victoria, Barry John Wells and Hoe Ghee (Albert) Ooi, and others — Ordered to be printed

Interpretation of Legislation Act 1984:

Notices under s 32(3)(a)(iii) in relation to:

Alcohol Interlock Guidelines (*Gazette S446, 18 December 2014*)

Statutory Rules 144 (*Gazette S398, 29 October 2014*), 165 (*Gazette S369, 16 October 2014*), 173 (*Gazette G44, 30 October 2014*)

Notices under s 32(4)(a)(iii) in relation to:

Waste Management Policy (Siting, Design and Management of Landfills) (*Gazette G43, 23 October 2014*)

Statutory Rules 166/2008, 37/2011 and 132/2012 (*Gazette G44, 30 October 2014*)

Major Sporting Events Act 2009 — Major Sporting Event Orders under s 22 (two documents)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — C25, C30

Ballarat — C160, C167, C168, C176, C180, C181, C190

Banyule — C94 Part 2

Bass Coast — C135, C145

Baw Baw — C104 Part 1, C108

Bayside — C133

Boroondara — C153, C240

Brimbank — C142, C158, C165

Campaspe — C98

Cardinia — C178, C197, C200, C202, C203, GC15

Casey — C185, C186, C187, C188, C193 Part 1, C201, GC15

Colac Otway — C77, C80

Darebin — C144, C146

East Gippsland — C93, C108, C120

Glenelg — C52 Part 1, C74

Glen Eira — C128, GC15

Golden Plains — C61, C65

Greater Bendigo — C160, C209, C211

Greater Dandenong — C149, C184, GC15

Greater Geelong — C199, C259, C266 Part 1, C267, C270, C282, C283, C288, C296, C299, C300, C303, C311, C314, C319, C322

Greater Shepparton — C174

Hume — C143, C154 Part 2, C164, C179, C181, GC21, GC22

Indigo — C56, C67

Kingston — C160, GC15

Knox — C114, C129, C130

Latrobe — C88

Macedon Ranges — C74, C97

Manningham — C95, C101

Mansfield — C34

Maribyrnong — C138

Maroondah — C85

Melbourne — C179, C248, GC15

Melton — C122, GC22

Mitchell — C90, GC21, GC22

Moira — C80

Monash — GC15
 Moonee Valley — C141
 Mornington Peninsula — C176 Part 1, C180
 Moyne — C54, C58
 Murrindindi — C43 Part 1
 Northern Grampians — C45
 South Gippsland — C92, C93, C101
 Stonnington — C153, C220, GC15
 Strathbogie — C69
 Surf Coast — C91
 Victoria Planning Provisions — VC123
 Wangaratta — C44, C58
 Warrnambool — C88, C91
 Wellington — C72, C82, C89
 Whitehorse — C160, C200
 Whittlesea — C154, C184, C185, C193, GC21, GC22
 Wodonga — C97, C110, C112, C114, C115, C116, C117
 Wyndham — C174, C175, C176, C177, C188, C196, GC22
 Yarra — C177, GC15
 Yarra Ranges — C139

Professional Standards Council — Report 2013–14 (two documents)

Statutory Rules under the following Acts:

Accident Towing Services Act 2007 — SR 175
Administration and Probate Act 1958 — SR 208
Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SR 183
Assisted Reproductive Treatment Act 2008 — SR 192
Building Act 1993 — SRs 162, 173, 196, 197
Children, Youth and Families Act 2005 — SR 160
Confiscation Act 1997 — SR 187
Commercial Arbitration Act 2011 — SR 205
Conservation, Forests and Lands Act 1987 — SRs 185, 191
Coroners Act 2008 — SRs 159, 202
Country Fire Authority Act 1958 — SR 165
County Court Act 1958 — SRs 157, 176, 177, 178
Drugs, Poisons and Controlled Substances Act 1981 — SRs 193, 194, 195
EastLink Project Act 2004 — SR 167
Estate Agents Act 1980 — SR 189
Financial Management Act 1994 — SR 161
Gambling Regulation Act 2003 — SR 172
Heritage Act 1995 — SR 174
Magistrates' Court Act 1989 — SRs 158, 179, 180, 203
Melbourne City Link Act 1995 — SR 168
Mineral Resources (Sustainable Development) Act 1990 — SR 169
Parliamentary Salaries and Superannuation Act 1968 — SR 166
Planning and Environment Act 1987 — SR 163
Prevention of Cruelty to Animals Act 1986 — SR 184
Road Safety Act 1986 — SRs 199, 200, 201
Royal Botanic Gardens Act 1991 — SR 170
Status of Children Act 1974 — SR 186
Subdivision Act 1988 — SR 164
Supreme Court Act 1986 — SRs 156, 204, 205, 206, 207, 208, 209
Tourist and Heritage Railways Act 2010 — SR 198
Vexatious Proceedings Act 2014 — SRs 177, 182, 206

Victorian Civil and Administrative Tribunal Act 1998 — SRs 181, 182

Water Industry Act 1994 — SR 171

Wildlife Act 1975 — SR 190

Wrongs Act 1958 — SR 188

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 135, 147, 155, 156, 157, 158, 159, 160, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 184, 185, 186, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209

Documents under s 16B in relation to:

Building Act 1993 — Amendment to the Determination that Specified Areas are Designated Bushfire Prone Areas

City of Greater Geelong Act 1993 — Greater Geelong City Council — Mayoral and Deputy Mayoral Allowances — Alteration

City of Melbourne Act 2001 — Melbourne City Council — Lord Mayoral, Deputy Lord Mayoral and Councillor Allowances — Alteration

Conservation, Forests and Lands Act 1987 — Code of Practice for Timber Production 2014

Domestic Animals Act 1994 — Code of practice for the operation of breeding and rearing businesses 2014

Flora and Fauna Guarantee Act 1988 — Amending Order Flora and Fauna Guarantee (Taking, Trading In or Keeping of Listed Fish) No 1/2009

Gambling Regulation Act 2003 — Ministerial Orders under s 3.4A.5(3) and s 3.4A.20K (two documents)

Local Government Act 1989:

Mayoral and Councillor Allowances Adjustment

Senior Officer Remuneration Threshold Increase

Racing Act 1958:

Greyhound Racing Victoria — Rule Amendments

Notice of amendments to Australian Rules of Harness Racing

Notice of amendments to Australian Rules of Harness Racing, Australian Trotting Stud Book Regulations and Australian Handicapping Rules

Road Safety Act 1986 — Alcohol Interlock Guidelines

Transport (Compliance and Miscellaneous) Act 1983 — Driver Accreditation (Metropolitan Hire-Car) Amending Instrument

Victorian Energy Efficiency Target Act 2007 — Declaration of discount factor under s 19

Water Act 1989 — East Gippsland Catchment Management Authority By-law No 2014-1 Waterways Protection

Water Act 1989:

Abolition of Nullawarre Groundwater Supply Protection Area Order 2014

Abolition of Yangery Groundwater Supply Protection Area Order 2014.

18 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:

(1) Mr Battin, Ms Halfpenny, Mr McCurdy, Mr Richardson (*Mordialloc*) and Ms Ward be members of the Environment and Natural Resources Committee; and

(2) Mr Bull (*Sunbury*), Ms Blandthorn, Mr Dimopoulos, Ms Kealy, Ms Kilkenny and Mr Pesutto be members of the Scrutiny of Acts and Regulations Committee —

(*Ms Allan*) — put and agreed to.

19 **ENVIRONMENT AND NATURAL RESOURCES COMMITTEE** — Motion made, by leave, and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry into the CFA training college at Fiskville be referred to the Environment and Natural Resources Committee for consideration, inquiry and completion of an interim report no later than 30 June 2015 and a final report no later than 1 December 2015 and, in particular, the inquiry will include, but not be limited to the following:

- (1) a comprehensive historical study of pollution, contamination and unsafe activities at Fiskville between 1970 and the present day;
- (2) a study of the health impacts on employees, residents and visitors between 1970 and the present day;
- (3) a study of the role of past and present executive management at Fiskville;
- (4) an assessment of the feasibility of decontamination/rectification of the training site; and
- (5) recommendations as necessary to mitigate ongoing harm and to provide justice to victims and their families —

(*Ms Garrett*) — put and agreed to.

20 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 10 February 2015 at 2.00 pm (*Ms Allan*) — put, after debate, and agreed to.

21 **THE GOVERNOR'S SPEECH** — The Speaker reported that today the House attended the Legislative Council Chamber, where the Governor was pleased to make a speech to both Houses of Parliament. The speech was as follows:

Honourable President and members of the Legislative Council:

Honourable Speaker and members of the Legislative Assembly:

I would like to acknowledge the traditional owners of the land on which we gather today, the Kulin Nation.

The general election on 29 November resulted in a change of government in Victoria.

Following the election, I commissioned the Leader of the Victorian Labor Party, Mr Daniel Andrews, to form a new government.

Accordingly, I have called you together on this day, the first session of the 58th Parliament, to outline the policy agenda and legislative intentions of this new government in its first term.

Summary

The Government has promised to invest in hospitals, ambulances and schools, create jobs, improve public transport and take action on family violence.

The Government will help Victorians find meaningful work and give everyone access to quality services and a lifestyle that is admired by the rest of the world.

The Government describes its policy agenda as a positive plan for Victoria. Over the next four years the Government will focus on:

- jobs and growth
- education and skills

- health and wellbeing
- world-class transport
- a safe and just society
- sustainable and liveable communities
- reforming the Parliament and the public sector.

1. Jobs and Growth

The Government believes that Victorians deserve well-paid, meaningful jobs that are safe and secure. A strong economy means more jobs for Victorians.

The Government sees its role as investing in Victoria's industries to create jobs and drive growth, and supporting education and skills so our next generation have a chance.

The Government will immediately implement Back To Work, a landmark plan to work with business leaders to grow industries and help create 100,000 full-time jobs for the unemployed. The plan includes:

- the introduction of the Back To Work Bill to provide financial support to employers for hiring unemployed youth, the long-term unemployed and retrenched workers
- the establishment of the Premier's Jobs and Investment Panel — an independent body of senior business and industry leaders, providing direct advice to the Premier on the expenditure of a \$500 million fund for jobs and investment
- the establishment of the \$200 million Future Industries Fund to support job-creating projects in high-growth areas, including pharmaceuticals, energy, food and fibre, and international education
- the establishment of the \$200 million Regional Jobs Fund to support job-creating projects in regional Victoria
- expanding the international Victorian Government Business Office network and delivering a comprehensive program of inbound trade missions to Victoria.

The Government understands that Victoria needs an infrastructure plan that supports a broad, long-term vision for the State.

The Government will establish Infrastructure Victoria to provide independent, transparent advice on our state's priorities and fill a pipeline of projects.

2. Education and Skills

The Government understands that Victoria cannot have a prosperous future without an educated, highly-skilled workforce that can seize new opportunities in a changing economy.

The Government aims to make Victoria the Education State — strengthening our economy and the skills of its people.

The Government has outlined a plan to make our schools the best in the country by investing \$510 million to upgrade and rebuild Government schools and \$120 million to upgrade and rebuild Catholic and independent schools.

The Government will also help struggling families with the extra costs of education by supporting State Schools Relief to provide new school uniforms and funding 500 breakfast clubs to feed 25,000 children across the State.

The Government will also establish a Camps, Sports and Excursions Fund so no child misses out on outdoor learning and recreation.

Tech Schools will be established across the State for students in Years 7 to 12. The ten new facilities focus on local industries and will be run by local schools, TAFEs, universities and businesses.

Tech school students will spend a set period of time each week enhancing their skills, while also maintaining their enrolment at their local secondary school.

The Government will establish the Doctors in Schools program, which will see doctors visit schools on a weekly basis to treat students in disadvantaged areas.

The Government has also pledged \$100 million to fund an asbestos removal program, so all Victorian government schools can be asbestos-free by 2020.

TAFE and Training

The Government believes that our economy will be in danger without a strong TAFE system.

The Government has created a \$320 million TAFE Rescue Fund to reopen closed campuses, upgrade buildings, workshops, labs and classrooms, and save those institutes at risk of financial ruin.

A VET Funding Review will be conducted to develop stable funding methods to improve Victoria's training system, in consultation with public and private providers.

The Government wants to encourage more young people to take up apprenticeships. In one initiative, the Government will offer apprentices half-price car registration for the vehicles they use for their trade.

3. Health and Wellbeing

The Government will invest in Victoria's health system to give our loved ones the dignity they deserve and the care they need.

The Government will enshrine in legislation the ratios of nurses and midwives to patients and improve these ratios over time.

Our growing and ageing population places pressure on Victoria's hospitals. This challenge will be met with \$200 million to open more hospital beds and operating theatres so more patients can be treated.

The Government has also pledged \$100 million to reduce ambulance response times in an effort to save lives.

This fund will support initiatives that prioritise ambulances for the sickest patients and upgrade ambulance stations, vehicles and equipment.

24-hour pharmacies, each with their own nurse on-staff to provide medical advice and services after hours, will also be funded.

The pharmacies will give families, shift workers and others needing non-emergency care an alternative to hospital, reducing pressure on emergency departments.

The Government will fund a major, \$106.3 million expansion of Casey Hospital to cater for 12,000 more patients, 8,000 more surgeries and 500 more births and build the hospital's first intensive care unit in one of Australia's fastest growing areas.

The Government will build the Western Women's and Children's Hospital in Sunshine. The new five-storey centre will bring the best care closer to home for families in the West.

The Government will build the Victorian Heart Hospital to transform our health system and bring the world's best cardiovascular care, research and training to Victoria.

The Government will completely rebuild Orygen Youth Health's dilapidated Parkville facility, home to the world's largest research institute for youth mental health.

The Government also wants Victoria to lead the world in medical technology, researching cures for chronic disease and developing devices that change lives.

Plans include a \$60 million investment in the Aikenhead Centre for Medical Discovery at St Vincent's Hospital — Australia's first research and education centre for biomedical engineering.

The centre will bring together leading doctors, scientists and researchers, create 1,080 jobs and assist an industry that will support an estimated 10,000 jobs over the next 15 years.

4. World-Class Public Transport and Better Local Roads

The Government will build a world-class public transport system and improve local roads. This will give Victorians more than a better commute to work — it will give them a better quality of life.

The Government will embark on Project 10,000 — a landmark plan to transform public transport, reduce congestion and create 10,000 construction jobs.

Level crossings lock up roads, slow down trains and put lives in danger. The Government will remove 50 of Victoria's most dangerous and congested level crossings, funded by the lease of the Port of Melbourne.

The Government will invest \$300 million towards Melbourne Metro Rail, a project that will double the size of the City Loop, build five new stations and a new underground line, and reduce the gridlock in the train system.

The \$500 million West Gate Distributor will take 5,000 trucks a day off the West Gate Bridge and send them directly to the Port.

Under the Government's trial of the 'Homesafe' program, public transport will run 24 hours a day on weekends and 2am shuttle buses will take commuters to major regional cities.

The South Morang train line will be extended to Mernda. Melbourne's growth areas will also benefit from a \$100 million plan to add more bus routes and services.

V/Line services will depart Geelong every 20 minutes between 9am and 3pm, adding 22 more trips to the daily timetable, and Bendigo will get a dedicated suburban rail service.

The Government wants to fix the local roads that Victorians use every day. The Government will guarantee \$1 billion to repair and upgrade suburban roads and \$1 billion to repair and upgrade roads in regional Victoria.

Duplication of the Chandler Highway Bridge will ease congestion for thousands of Victorians who use the bridge every day, and a \$175 million commitment will see Thompsons Road duplicated between East Link and Clyde Road in Cranbourne.

The Government has promised the largest ever investment in driver training and education for young people, to reduce the road toll and cement Victoria as the world leader in road safety.

Every Year 10 student will be enrolled in a free defensive driving course. This program will help them make better, safer decisions on the road.

5. A Safe and Just Society

All Victorians have the right to feel safe — on the streets, at their schools, on their computer, and in their home.

The Government believes family violence is the biggest law and order issue in this state.

Australia's first Royal Commission into Family Violence will be established, to examine a system that the Government believes does not adequately protect victims or punish perpetrators.

It will be an investigation from the ground up, covering criminal law, the courts, support services, the health system, and alcohol and drug treatment. It will also look at the resources and tools available to hardworking police officers.

The Government will implement all the recommendations of the Royal Commission once it reports to Victorians. Until then, the Government will also provide a \$22.7 million boost to relieve pressure on family violence support services.

More police officers will be put back on the frontline, with custody officers introduced to take over the supervision of prisoners in police cells.

The Government will support those who protect us, funding 350 additional firefighters for the Country Fire Authority and 100 for the Metropolitan Fire Brigade, as well as additional fire stations, trucks and equipment.

The Government will also introduce presumptive rights legislation for firefighters who make cancer compensation claims relating to their work.

6. Sustainable and Liveable Communities

Built and natural environments define our quality of life. The Government understands it has a responsibility to protect Victoria's heritage and maintain its liveability.

Environment

The Victorian renewable energy sector will be expanded to create new jobs and support a cleaner environment.

A \$20 million New Energy Jobs Fund will offer grants of up to \$1 million to firms specialising in high-growth renewable sectors. Planning restrictions will be amended so that more wind farms can be built in Victoria.

Arts, Sports, Culture and Creativity

Public holidays are opportunity for families and friends to take a break from normal work or studies. Easter Sunday and the Friday before Grand Final Day will be declared as public holidays in Victoria.

Community sports clubs across Victoria will be upgraded as part of a \$100 million plan to improve grounds and facilities. A fund will also upgrade womens change rooms and facilities at clubs across the State.

Other upgrades include the Simonds Stadium in Geelong, the Eureka Stadium in Ballarat, St Kilda's Junction Oval, the Geelong Performing Arts Centre and the State Library.

The Government will also introduce Music Works, a \$22.2 million plan to boost the local music industry and support local jobs in creative industries.

Planning

A truly liveable Victoria is one where everyone can access the services and open spaces that are essential for a good life, no matter where they live.

The Government believes new communities should be developed in stages, hand-in-hand with health, education, community, transport, and recreational services.

A \$50 million Stronger Regional Communities fund will be established to help regional towns attract families and young people to set up their home and stay.

Communities will be given a fair go at the Victorian Civil and Administrative Tribunal and a real voice in the planning process.

Under this Government, councils will be also forced to cap their rates at the Consumer Price Index and justify any further increases.

7. Reform of the Parliament and the Public Sector

The Government will reform the processes that govern the conduct of this Parliament. Reforms will make Government business more transparent and ministers more accountable.

So members of Parliament are not compromised in the performance of their duties, random breath testing will be introduced for all members during sitting weeks.

Reforms to the public sector will achieve \$334.5 million in savings. Initiatives include:

- more efficient government car fleet arrangements
- reducing the number of executive officers
- reducing the use of labour hire firms
- ending taxpayer-funded political advertising.

Conclusion

Honourable members, I have outlined for you the Government's program for this Parliament.

It is an ambitious program designed to match the challenges the State faces and demonstrates the desire the Government has expressed to create a better, stronger and fairer society for all Victorians.

I now formally open this Parliament, and pray that God may guide your deliberations.

23 December 2014

Alex Chernov AC QC
Governor of Victoria

- 22 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Motion made and question proposed — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House:

Governor:

We, the Legislative Assembly of Victoria assembled in Parliament, wish to express our loyalty to our Sovereign, and to thank you for the speech which you have made to the Parliament (*Mr Richardson, Mordialloc*) — and, after debate —

Business having been interrupted at 10.00 pm under standing orders.

- 23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.55 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 2, 3, 4 and 5

No 2 — Tuesday 10 February 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **RESIGNATION OF SEAT** — The Speaker announced that, on 2 February 2015, he had received the resignation of the Member for Gippsland South.
- 3 **BLACK SATURDAY BUSHFIRES ANNIVERSARY** — By leave, members made statements to mark the sixth anniversary of the Black Saturday bushfires. Members rose in their places to show support for the communities affected by the Black Saturday bushfires.
- 4 **DEATHS OF MICHAEL ANDREW LEIGHTON AND JOHN MARTIN McQUILTEN** — The Speaker announced the deaths of Michael Andrew Leighton, Member of the Legislative Assembly for the Electoral District of Preston from 1988 to 2006; and John Martin McQuilten, Member of the Legislative Council for the Electoral Province of Ballarat from 1999 to 2006; and members rose in their places as a mark of respect to the memory of the deceased.
- 5 **DEATH OF THE HONOURABLE LYNNE JANICE KOSKY** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Lynne Janice Kosky, and places on record its acknowledgment of the valuable services rendered by her to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Altona from 1996 to 2010 and Minister for Post Compulsory Education, Training and Employment from 1999 to 2002, Minister for Finance from 2000 to 2002, Minister for Education and Training from 2002 to 2006 and Minister for Public Transport and Minister for the Arts from 2006 to 2010 (*Mr Andrews*) — put, after the Speaker and other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 6 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Honourable Lynne Janice Kosky, the House now adjourns until 8.00 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 5.06 pm, adjourned until 8.00 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 3 — Tuesday 10 February 2015 (8.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS** — (Under SO 55).

- 3 **SUMMARY OFFENCES AMENDMENT (MOVE-ON LAWS) BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to repeal certain amendments made by the **Summary Offences and Sentencing Amendment Act 2014** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **CEMETERIES AND CREMATORIA AMENDMENT (VETERANS REFORM) BILL 2015** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to amend the **Cemeteries and Crematoria Act 2003** in relation to certain rights of interment for cremated human remains and for other purposes*'; and, and after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **INTERPRETATION OF LEGISLATION AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Interpretation of Legislation Act 1984** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PARLIAMENTARY COMMITTEES AND INQUIRIES ACTS AMENDMENT BILL 2015** — Mr Merlino obtained leave to bring in a Bill '*for an Act to amend the **Parliamentary Committees Act 2003** to amalgamate certain committees and to make various minor amendments to the **Inquiries Act 2014** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Bus stop at Keilor Cemetery — Requesting that the Legislative Assembly approves an extension of bus services to allow for a bus stop to be located directly outside Keilor Cemetery, bearing 56 signatures (*Mr Pearson*).

Ordered to be tabled.

- 8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Border Groundwaters Agreement Review Committee — Report 2013–14

Crimes (Controlled Operations) Act 2004 — Report 2013–14 of the Victorian Inspectorate under s 39

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over King's Domain Reserve and Alexandra Park

Order under s 17D granting a lease over Edinburgh Gardens Reserve

Financial Management Act 1994 — Report from the Minister for Environment, Climate Change and Water that she had not received the Report 2013–14 of the Calder Regional Waste Management Group, together with an explanation for the delay

Gambling Regulation Act 2003 — Amendment of Category 1 Public Lottery Licence under s 5.3.19

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C188, C210

Brimbank — C167

Corangamite — C38

Greater Shepparton — C172

Hindmarsh — C16

Hume — C184
 Melbourne — C225, C260
 Moonee Valley — C140
 Moreland — C152
 Mornington Peninsula — C185
 Port Phillip — C116
 Southern Grampians — C15
 Wellington — C83
 Wyndham — C195, C207

Professional Standards Act 2003 — Instrument amending the CPA Australia Limited Professional Standards Scheme under s 14 (*Gazette G1, 8 January 2015*)

Statutory Rules under the following Acts:

County Court Act 1958 — SRs 210/2014, 7
Magistrates' Court Act 1989 — SRs 3, 4
Road Safety Act 1986 — SR 1
Subordinate Legislation Act 1994 — SR 2
Treasury Corporation of Victoria Act 1992 — SR 5
Vexatious Proceedings Act 2014 — SR 210/2014
Victorian Civil and Administrative Tribunal Act 1998 — SR 6

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 187, 210/2014, 1, 2, 3, 4, 6, 7
 Documents under s 16B in relation to:
Cemeteries and Crematoria Act 2003 — Southern Metropolitan Cemetery Trust Scale of Fees and Charges
Environment Protection Act 1970 — Variation to the Protocol for Environmental Management — Domestic Ballast Water Management in Victorian State Waters
Road Safety Act 1986 — Amendments to the Alcohol Interlock Guidelines

Wrongs Act 1958 — Notice under s 28LXA (*Gazette G44, 30 October 2014*).

- 9 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Back to Work Bill 2014
 Education and Training Reform Amendment (Funding of Non-Government Schools) Bill 2014.

- 10 **STATUTE LAW REPEALS BILL 2014** — Motion made, by leave, and question — That the proposals contained in the Statute Law Repeals Bill 2014 be referred to the Scrutiny of Acts and Regulations Committee for inquiry, consideration and report (*Ms Allan*) — put and agreed to.
- 11 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow the Statements of Compatibility tabled under s 28 of the *Charter of Human Rights and Responsibilities Act 2006* and ministers' second reading speeches, in relation to the bills listed on the notice paper for this week, to be incorporated into Hansard (*Ms Allan*) — put and agreed to.
- 12 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until tomorrow at 9.30 am (*Ms Allan*) — put and agreed to.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 4.00 pm on Thursday 12 February 2015:

Back to Work Bill 2014

Education and Training Reform Amendment (Funding of Non-Government Schools) Bill 2014

Statute Law Repeals Bill 2014

Wrongs Amendment (Asbestos Related Claims) Bill 2014

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 14 **STATEMENTS BY MEMBERS** — Statements by members were made.

Business having been interrupted at 10.00 pm under standing orders.

- 15 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.47 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 4 — Wednesday 11 February 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Funding of the Sale Specialist School — Requesting that the Legislative Assembly calls on the Labor Government to fund stage 2 of the Sale Specialist School as a matter of priority, bearing 5350 signatures (*Mr Bull, Gippsland East*)

Abortion Law Reform Act 2008 — Requesting that the Legislative Assembly reviews the *Abortion Law Reform Act 2008* to protect all unborn children from conception until natural death, bearing 571 signatures (*Mr Northe*).

Petitions ordered to be tabled.

- 3 **PETITION — FUNDING OF THE SALE SPECIALIST SCHOOL** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.

- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Additional School Costs for Families (two documents) — Ordered to be published
Responses to 2012–13 Performance Audit Recommendations — Ordered to be published

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Returns 2015 and Summary of Variations Notified between 17 September 2014 and 6 February 2015 — Ordered to be published

Murray-Darling Basin Authority — Report 2013–14.

- 5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until tomorrow at 9.30 am (*Ms Allan*) — put and agreed to.

- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 7 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 8 **BACK TO WORK BILL 2014** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 9 **EDUCATION AND TRAINING REFORM AMENDMENT (FUNDING OF NON-GOVERNMENT SCHOOLS) BILL 2014** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **WRONGS AMENDMENT (ASBESTOS RELATED CLAIMS) BILL 2014** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **STATUTE LAW REPEALS BILL 2014** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **SUMMARY OFFENCES AMENDMENT (MOVE-ON LAWS) BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 25 February 2015.

- 13 **CEMETERIES AND CREMATORIA AMENDMENT (VETERANS REFORM) BILL 2015** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 24 February 2015.

- 14 **INTERPRETATION OF LEGISLATION AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 25 February 2015.

- 15 **PARLIAMENTARY COMMITTEES AND INQUIRIES ACTS AMENDMENT BILL 2015** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

In accordance with the resolution of the House the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 25 February 2015.

- 16 **BACK TO WORK BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Ms Sandell announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under standing orders.

- 17 **QUESTIONS** — (Under SO 55).

- 18 **DOCUMENT**

EAST WEST LINK — MSSPC meeting 3 July 2013 Attachment A: Project Reference Design tabled by leave (*Mr Pallas*).

- 19 **BACK TO WORK BILL 2014** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Garrett*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **EDUCATION AND TRAINING REFORM AMENDMENT (FUNDING OF NON-GOVERNMENT SCHOOLS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Hibbins announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **ACTING SPEAKERS** — the following warrant appointing Acting Speakers was tabled by the Speaker:

VICTORIA
LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Neil Angus, Gary Blackwood, Anthony Carbines, Peter Crisp, Martin Dixon, Maree Edwards, Bronwyn Halfpenny, Sonya Kilkenny, Tim McCurdy, Cindy McLeish, Danny Pearson, Dee Ryall, Mary-Anne Thomas, Murray Thompson, Marsha Thomson, Vicki Ward and Graham Watt to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

Given under my hand on 11 February 2015

Telmo Languiller MP
SPEAKER.

- 22 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*); debate resumed.

Business having been interrupted at 10.00 pm under standing orders.

- 23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 10.48 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 5 — Thursday 12 February 2015

1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.

2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Intersection of Hunter and Monbulk Roads, Evelyn — Requesting that the Legislative Assembly investigate and install anything necessary to reduce the risk of further fatal or serious crashes near the intersection of Hunter and Monbulk Roads, Evelyn, bearing 380 signatures (*Mrs Fyffe*).

Ordered to be tabled.

3 **PETITION — INTERSECTION OF HUNTER AND MONBULK ROADS, EVELYN** — Motion made and question — That the petition presented by the Member for Evelyn be taken into consideration tomorrow (*Mrs Fyffe*) — put and agreed to.

4 **DOCUMENTS**

PARTNERSHIPS VICTORIA PROJECT SUMMARY: RAVENHALL PRISON PROJECT — Report tabled by leave (*Mr Noonan*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented a report from the Scrutiny of Acts and Regulations Committee on the Statute Law Repeals Bill 2014, together with an appendix.

Ordered to be tabled and published.

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

County Court of Victoria — Report 2013–14

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Portfolio Departments and Associated Entities: Results of the 2013–14 Audits — Ordered to be published

Water Entities: Results of the 2013–14 Audits — Ordered to be published

Ombudsman — Investigation into an incident of alleged excessive force used by authorised officers, together with a DVD — Report ordered to be published.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 24 February 2015 (*Ms Allan*) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Statements by members were made.

7 SESSIONAL ORDERS —

Ms Allan announced amendments to be proposed to the motion and requested that they be circulated. Amendments circulated.

Mr Clark announced amendments to be proposed to the motion and requested that they be circulated. Amendments circulated.

Mr Hibbins announced amendments to be proposed to the motion and requested that they be circulated. Amendments circulated.

Motion made and question — That the following sessional orders be adopted, to come into operation with immediate effect:

'1 Days and times of meeting

Unless otherwise ordered, the House will meet each Tuesday at 12.00 pm, and each Wednesday and Thursday at 9.30 am.

2 Incorporation of statements of compatibility

A statement of compatibility tabled under s 28 of the *Charter of Human Rights and Responsibilities Act 2006* will be incorporated in Hansard, without leave being required.

3 Interruption of business for adjournment

Standing Order 32 be suspended and the following to apply:

- (1) Subject to paragraphs (2) and (3), the Speaker will interrupt the business before the House at:
 - (a) 7.00 pm each sitting Tuesday and Wednesday;
 - (b) 5.00 pm on any other sitting day.
- (2) If a division is taking place when the time for the interruption arises, the division will be completed and the result announced. If the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with. The Speaker will then interrupt business.
- (3) If the time for the interruption arises:
 - (a) at the same time as the completion time set by the government business program; or
 - (b) after the interruption for the completion time of the government business program, but before all business on the program has been dealt with —

all business on the government business program will be completed first. The Speaker will then interrupt business for the adjournment.
- (4) After the interruption:
 - (a) before a motion for the adjournment is proposed by the Speaker, a minister may move that the sitting be continued. That motion must be put immediately without amendment

or debate. If it is agreed to, the House will resume debate at the point at which it had been interrupted; or

- (b) if a motion is not moved, the Speaker will immediately propose the question 'That the House now adjourns'. Any business under discussion and any other business not concluded at the time of the adjournment will be listed on the notice paper for the next sitting day. Any member speaking at the time of the interruption may, when debate resumes, continue his or her speech.

4 Condolence motions

Where a condolence motion occurs under SO 42(1)(a), the House may adjourn for a period of one hour at the conclusion of the motion.

5 Who may ask oral questions without notice

Only non-government members may ask questions without notice under Standing Order 55.

6 Supplementary questions without notice

- (1) At the conclusion of each answer to an oral question without notice, the questioning member may ask the responding minister a supplementary question to elucidate or clarify the answer.
- (2) Supplementary questions must actually and accurately relate to the original question and must relate to or arise from the answer.

7 Ministers' statements

After each oral question without notice and any related supplementary questions, any minister make seek the call to make a statement of up to two minutes to advise the House of new government initiatives, projects and achievements.

8 Time limits on answers under SO 55 and sessional order

The time limit for the answer to each oral question is three minutes, and for the answer to each supplementary question is one minute.

9 Constituency questions

- (1) At the conclusion of oral questions without notice and ministers' statements, five government members and five non-government members may ask ministers oral questions relating to constituency matters.
- (2) Replies to constituency questions must be given in writing within 30 days by delivering a reply to the Clerk. A copy must be given to the member who asked the question, and printed in Hansard.

10 Duration of question time

Standing Order 55(2) is suspended and the following to apply:

Question time will last until five oral questions and related supplementary questions have been answered, and up to five ministers' statements have been made.

11 Content of answers

- (1) Standing Order 58(1)(a) be suspended and all answers to questions must be direct, factual, succinct and relevant.
- (2) The Speaker may determine that an answer to an oral question without notice or supplementary oral question is not responsive to the question, and may accordingly direct the minister to provide a written response to the question and lodge it with the Speaker by 2.00 pm on the next sitting day. A copy of any written response provided under this sessional order must be given to the member who asked the question and printed in Hansard.
- (3) The Speaker will determine the adequacy of a written response to a question provided under this sessional order. The Speaker may determine that a written response does not appropriately answer the question and may direct that the minister provide another written response by 2.00 pm the next sitting day. The Speaker will forward the written response to the member who asked the question, and a copy printed in Hansard.

12 Answers to questions on notice

A reply to a question on notice delivered to the Clerk under SO 54(3) must be submitted within 30 days.

13 Notices of motion

Standing Orders 140(1) and 141 be suspended and the following to apply:

- (1) A member may only move a motion to discuss a subject if he or she has given notice of that motion on a previous sitting day.
- (2) Copies of all notices, whether to be given verbally or in writing, must be provided to the Clerks at the table before notices are called on by the Speaker.
- (3) All notices given by ministers must be verbal.
- (4) Verbal notices must be read to the House. They can only be given before the House proceeds to the business of the day as set out in the notice paper.
- (5) All notices, except notices given under paragraph (6) given by members who are not ministers, must be given in writing. Members may give notice by lodging a copy with the Clerks in accordance with paragraph (2).
- (6) A motion by a member expressing no confidence in the Premier and ministers, in the terms set out in s 8A of the *Constitution Act 1975*, may only be given verbally or, where a member seeks to move the motion during formal business by leave, and leave is refused, the member may give notice of that motion.
- (7) The Clerk must notify the Speaker of a notice of a motion by a member to disallow a statutory rule to which Standing Order 151 applies, and the Speaker will report details to the House at the first convenient opportunity.

14 Responses to adjournment matters

If the minister responsible is not present in the House to respond to issues raised by members under SO 33, the minister will provide a written response to the member who raised the matter within 30 days.

15 Second reading speeches incorporated in Hansard

A second reading speech for a bill being introduced by a member or minister will be incorporated into Hansard at the request of the member or minister, with the following exceptions:

- (1) Where the speech contains a statement under s 85(5)(c) of the *Constitution Act 1975*, that statement must be delivered verbally to the House.
- (2) Where a speech contains a statement under s 31(1)(c) of the *Charter of Human Rights and Responsibilities Act 2006* must be delivered verbally to the House.

16 Time limit for lead speakers

For the purposes of Standing Order 131, and subject to any agreement to the contrary, additional time provided for the lead speaker of any other party does not apply where such a party has advised the Speaker that it is in a coalition arrangement with another party.' —

(*Ms Allan*) — and, after debate —

Amendments proposed —

Sessional Order 7

- 1 After 'minister' omit 'make' and insert 'may'.

Sessional Order 8

- 2 Heading, omit all the words after 'answers' and insert 'and questions'.
- 3 At the start of line one, insert '(1) The time limit for each oral question, supplementary question and constituency question is one minute. (2)'.

Sessional Order 9

- 4 Paragraph (1), after 'five non-government members may ask' delete 'ministers oral questions' and insert 'one oral question each to ministers'.

Sessional Order 11

- 5 Paragraph (3), after 'copy' insert 'will be'.

Sessional Order 15

- 6 Paragraph (2), after '31' omit '(1)(c)' and insert '(5)'.
- 7 Paragraph (2), after '2006' insert 'that statement'.

8 New Sessional Order AA — Order of business

- (1) So much of standing orders as provide for question time to be held at 2.00 pm on sitting days other than Tuesdays is suspended to allow for question time to be held at 11.00 am on those days.
- (2) In Standing Order No 55, for '2.00 pm', wherever occurring, read '11.00 am'.
- (3) So much of Standing Order Nos 36, 38, 39 and 41 be suspended so as to enable the following order of business on:

Wednesdays

Formal Business

Disallowance motions

Statements by members

Statements on parliamentary committee reports

Government business

Question time (11.00 am)

Matter of public importance *or* grievance debate
 Government business *continued*
 General business

Thursdays (and Fridays)

Formal business
 Statements by members
 Government business
 Question time (11.00 am)
 Government business *continued*
 General business

- (4) In Standing Order 39(9) for 'statements on parliamentary committee reports under SO 41' read 'government business' —

(*Ms Allan*) — and, after debate —

Amendments proposed —

Sessional Order 7

- 1 Omit 'After each oral question without notice and any related supplementary questions, any minister' and insert 'Immediately before statements by members each sitting day up to five ministers'.

Sessional Order 10

- 2 After 'until' omit 'five' and insert '10'.
 3 Omit ', and up to five ministers' statements have been made'.

Sessional Order 13

- 4 Delete this sessional order and insert —
 '13 Giving notice
 Standing Order 140(1) be suspended and the following to apply:
 (1) A member may only move a motion to discuss a subject if he or she has given notice of that motion on a previous sitting day.
 (2) Copies of all notices, whether to be given orally or in writing, must be provided to the Clerks at the table before notices are called on by the Speaker.
 (3) Oral notices must be read to the House. They can only be given before the House proceeds to the business of the day as set out in the notice paper.
 (4) All notices given by ministers must be oral.
 (5) A maximum overall total of 10 general business oral notices may be given each sitting day, five from government backbenchers collectively, and five from non-government members collectively. Non-government notices will be apportioned between members on a pro-rata basis, according to the non-government representation in the House.
 (6) In addition to notices given under paragraph (5), members may give written notice by lodging a copy, identified as a written notice, with the Clerks in accordance with paragraph (2). Members are not entitled to also give such notices orally.
 (7) A motion by a member expressing no confidence in the Premier and ministers, in the terms set out in s 8A of the *Constitution Act 1975*, may only be given orally under paragraph (5) or, where a member seeks to move the motion during formal business by leave, and leave is refused, the member may give notice of that motion despite the provisions of paragraph (5).
 (8) Except where a member has given notice under paragraph (5), the Clerk must notify the Speaker of a notice of a motion by a member to disallow a statutory rule to which SO 151 applies, and the Speaker will report details to the House at the first convenient opportunity.' —

(*Mr Clark*) — and after debate —

Amendments proposed —

Sessional Order 13

1 Delete this sessional order and insert —

'13 Giving notice

Standing Order 140(1) be suspended and the following to apply:

- (1) A member may only move a motion to discuss a subject if he or she has given notice of that motion on a previous sitting day.
- (2) Copies of all notices, whether to be given orally or in writing, must be provided to the Clerks at the table before notices are called on by the Speaker.
- (3) Oral notices must be read to the House. They can only be given before the House proceeds to the business of the day as set out in the notice paper.
- (4) All notices given by ministers must be oral.
- (5) The maximum overall time allowed for members who are not ministers to give oral notices is 15 minutes. Notices will be apportioned between members on a pro-rata basis, according to representation in the House.
- (6) In addition to notices given under paragraph (5), members may give written notice by lodging a copy, identified as a written notice, with the Clerks in accordance with paragraph (2). Members are not entitled to also give such notices orally.
- (7) A motion by a member expressing no confidence in the Premier and ministers, in the terms set out in s 8A of the *Constitution Act 1975*, may only be given orally under paragraph (5) or, where a member seeks to move the motion during formal business by leave, and leave is refused, the member may give notice of that motion despite the provisions of paragraph (5).
- (8) Except where a member has given notice under paragraph (5), the Clerk must notify the Speaker of a notice of a motion by a member to disallow a statutory rule to which SO 151 applies, and the Speaker will report details to the House at the first convenient opportunity.'

Sessional Order 14

2 Omit 'member who raised the matter' and insert 'Clerk'.

3 After 'days.' insert 'A copy must be given to the member who raised the matter, and printed in Hansard.' —

(*Mr Hibbins*) — and, after debate —

Sessional Order 1

Question — That Sessional Order 1 be agreed to — put and agreed to.

Sessional Order 2

Question — That Sessional Order 2 be agreed to — put and agreed to.

Sessional Order 3

Question — That Sessional Order 3 be agreed to — put and agreed to.

Sessional Order 4

Question — That Sessional Order 4 be agreed to — put and agreed to.

Sessional Order 5

Question — That Sessional Order 5 be agreed to — put and agreed to.

Sessional Order 6

Question — That Sessional Order 6 be agreed to — put and agreed to.

Sessional Order 7

Mr Clark's amendment No 1.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams.

NOES 37

Mr Angus; Mr Battin; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphthine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ms Allan's amendment No 1.

Question — That the amendment be agreed to — put and agreed to.

Question — That Sessional Order 7 as amended be agreed to — put and agreed to.

Sessional Order 8

Ms Allan's amendment Nos 2 and 3.

Question — That the amendments be agreed to — put and agreed to.

Question — That Sessional Order 8 as amended be agreed to — put and agreed to.

Sessional Order 9

Ms Allan's amendment No 4.

Question — That the amendment be agreed to — put and agreed to.

Question — That Sessional Order 9 as amended be agreed to — put and agreed to.

Sessional Order 10

Mr Clark's amendment No 2.

Question — That amendment No 2 be agreed to — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 38

Mr Angus; Mr Battin; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Napthine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams.

Question defeated.

Mr Clark's amendment No 3.

Question — That amendment No 3 be agreed to — put and defeated.

Question — That Sessional Order 10 be agreed to — put and agreed to.

Sessional Order 11

Ms Allan's amendment No 5.

Question — That the amendment be agreed to — put and agreed to.

Question — That Sessional Order 11 as amended be agreed to — put and agreed to.

Sessional Order 12

Question — That Sessional Order 12 be agreed to — put and agreed to.

Sessional Order 13

The Deputy Speaker advised that as Mr Clark's amendment No 4 and Mr Hibbins' amendment No 1 both propose to omit words, and then insert alternative words, he would test both sets of amendments on the question 'That the words proposed to be omitted stand part of the question'.

Question — That the words proposed to omitted stand part of the question — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams.

NOES 38

Mr Angus; Mr Battin; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphthine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

The Deputy Speaker advised that the members would not be able to proceed with their amendments to this sessional order as the House had not agreed to omit the words.

Question — That Sessional Order 13 be agreed to — put and agreed to.

Sessional Order 14

Mr Hibbins' amendment No 2.

Question — That amendment No 2 be agreed to — put.

The House divided (the Deputy Speaker, Mr Nardello, in the Chair) —

AYES 38

Mr Angus; Mr Battin; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphthine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams.

Question defeated.

Mr Hibbins' amendment No 3.

Question — That amendment No 3 be agreed to — put and defeated.

Question — That Sessional Order 14 be agreed to — put and agreed to.

Sessional Order 15

Ms Allan's amendment Nos 6 and 7.

Question — That the amendments be agreed to — put and agreed to.

Question — That Sessional Order 15 as amended be agreed to — put and agreed to.

Sessional Order 16

Question — That Sessional Order 16 be agreed to — put and agreed to.

New Sessional Order AA

Ms Allan's amendment No 8, new Sessional Order AA.

Question — That new Sessional Order AA be agreed to — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams.

NOES 35

Mr Angus; Mr Battin; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Napthine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to agree to the question that the sessional orders be agreed to until the Standing Orders Committee has reviewed the proposed sessional orders and any other opportunities to improve procedures of the House' (*Mr Hibbins*) — and, after debate —

Business having been interrupted at 2.00 pm under standing orders.

8 **QUESTIONS** — (Under SO 55).

9 **SESSIONAL ORDERS** — Debate resumed on question — That sessional orders as amended be adopted, to come into operation with immediate effect — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to agree to the question that the sessional orders be agreed to until the Standing Orders Committee has reviewed the proposed sessional orders and any other opportunities to improve procedures of the House'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 42

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams.

NOES 36

Mr Angus; Mr Battin; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Wells.

Question agreed to.

Question — That sessional orders as amended be adopted, to come into operation with immediate effect — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 44

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams.

NOES 34

Mr Angus; Mr Battin; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Wells.

Question agreed to.

- 10 **WRONGS AMENDMENT (ASBESTOS RELATED CLAIMS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put, after debate, and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **STATUTE LAW REPEALS BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 10 February 2015 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **BACK TO WORK BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **EDUCATION AND TRAINING REFORM AMENDMENT (FUNDING OF NON-GOVERNMENT SCHOOLS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 77

Ms Allan; Mr Angus; Mr Battin; Ms Blandthorn; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Mulder; Dr Naphthine; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Pesutto; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Wells; Ms Williams.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **WRONGS AMENDMENT (ASBESTOS RELATED CLAIMS) BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*); debate resumed.

Business having been interrupted at 5.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.35 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 6, 7, 8 and 9

No 6 — Tuesday 24 February 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **MEMBER SWORN** — Richard Wynne took and subscribed the Affirmation as required by law.
- 3 **ISSUE OF WRIT** — The Speaker announced that he had, on 17 February 2015, issued a writ for a by-election for the Electoral District of Gippsland South to be held on 14 March 2015.
- 4 **DEATH OF THE HONOURABLE EVAN HERBERT WALKER, AO, MLC** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Evan Herbert Walker, AO, MLC and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for the Electoral Province of Melbourne from 1979 to 1992, Minister for Conservation and Minister for Planning from 1982 to 1983, Minister of Public Works from 1983 to 1985, Minister for Planning and Environment from 1983 to 1986, Minister for Agriculture and Rural Affairs from 1985 to 1988, Minister for Industry, Technology and Resources from 1988 to 1989 and Minister for Major Projects, Minister for the Arts and Minister responsible for Post-Secondary Education from 1989 to 1990 (*Mr Andrews*) — put, after the Speaker and other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 5 **ADJOURNMENT** — Motion made, by leave, and question — That, as a further mark of respect to the memory of the late Honourable Evan Herbert Walker, AO, MLC, the House now adjourns until 2.15 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 1.11 pm, adjourned until 2.15 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 7 — Tuesday 24 February 2015 (2.15 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **EDUCATION AND TRAINING REFORM AMENDMENT (CHILD SAFE SCHOOLS) BILL 2015** — Mr Merlino obtained leave to bring in a Bill *for an Act to amend the Education and Training Reform Act 2006 to establish a framework to require registered schools to take appropriate actions to manage the risk of child abuse and to further strengthen the regulation of schools by enhancing the functions and powers of the Victorian Registration and Qualifications Authority and for*

other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 5 **LIMITATION OF ACTIONS AMENDMENT (CHILD ABUSE) BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Limitation of Actions Act 1958** to remove limitation periods that apply to actions in respect of causes of action that relate to death or personal injury resulting from child abuse and for other purposes'*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PUBLIC HEALTH AND WELLBEING AMENDMENT (HAIRDRESSING REGISTRATION) BILL 2015** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to amend the **Public Health and Wellbeing Act 2008** to make provision in relation to the registration of premises in which certain businesses are conducted and for other purposes'*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Legal Profession Uniform Law Application Act 2014** and for other purposes'*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **VETERANS AND OTHER ACTS AMENDMENT BILL 2015** — Ms Garrett obtained leave to bring in a Bill '*for an Act to amend the **Veterans Act 2005**, the **Sale of Land Act 1962**, the **Australian Consumer Law and Fair Trading Act 2012**, the **Residential Tenancies Act 1997**, the **Motor Car Traders Act 1986**, the **Co-operatives National Law Application Act 2013**, the **Associations Incorporation Reform Act 2012** and other Consumer Acts and for other purposes'*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

9 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented a report from the Scrutiny of Acts and Regulations Committee on the Statute Law Revision Bill 2014, together with an appendix.

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 1 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Back to Work Bill 2014
 Cemeteries and Crematoria Amendment (Veterans Reform) Bill 2015
 Education and Training Reform Amendment (Funding of Non-Government Schools) Bill 2014
 Interpretation of Legislation Amendment Bill 2015
 Parliamentary Committees and Inquiries Acts Amendment Bill 2015
 Statute Law Repeals Bill 2014
 Statute Law Revision Bill 2014
 Summary Offences Amendment (Move-on Laws) Bill 2015
 Wrongs Amendment (Asbestos Related Claims) Bill 2014

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Interpretation of Legislation Act 1984 — Notice under s 32(4)(a)(iii) in relation to Waste Management Policy (Ships' Ballast Water) 2004 and Statutory Rule 69/2006 (*Gazette G5, 5 February 2015*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C187
 Bayside — C112
 Boroondara — C207
 Colac Otway — C74
 Corangamite — C37
 Surf Coast — C102

Statutory Rule under the *Building Act 1993* — SR 8

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 8

Documents under s 16B in relation to:

Gambling Regulation Act 2003 — Victorian Pre-commitment Player Account Equipment Technical Standard

Public Holidays Act 1993 — Notice appointing Easter Sunday 2015 as a Public Holiday under s 7

Road Safety Act 1986 — Guidelines for assessing fitness to drive under s 27.

- 10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 26 February 2015:

Cemeteries and Crematoria Amendment (Veterans Reform) Bill 2015

Interpretation of Legislation Amendment Bill 2015

Parliamentary Committees and Inquiries Acts Amendment Bill 2015

Summary Offences Amendment (Move-on Laws) Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 12 **OPERATION OF ACTS — PROCLAMATIONS** — Motion made and question — That this House authorises and requires the Clerk to table copies of proclamations of the Governor in Council fixing dates for the coming into operation of Acts, as published in the Government Gazette from time to time (*Ms Hennessy*) — put and agreed to.

- 13 **UPPER YARRA VALLEY AND DANDENONG RANGES REGIONAL STRATEGY PLAN** — Motion made and question — That under s 46D(1)(c) of the *Planning and Environment Act 1987*, Amendment No 121 to the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan be approved (*Mr Wynne*) — put, after debate, and agreed to.

- 14 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.

- 15 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*); debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.37 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 8 — Wednesday 25 February 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Efficiency and Effectiveness of Hospital Services: High-value Equipment — Ordered to be published
Public Hospitals: Results of the 2013–14 Audits — Ordered to be published

Australian Health Practitioner Regulation Agency — Report 2013–14

Legal Profession Act 2004 — Practitioner Remuneration Order under s 3.4.24

Ombudsman — Councils and complaints — A report on current practice and issues; and A good practice guide — Ordered to be published

Statutory Rule under the *Road Safety Act 1986* — SR 9

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Assisted Reproductive Treatment Further Amendment Act 2014 — Part 1, Part 2 (except ss 10, 11, 12, 13, 14, 15, 17, 18, 20, 21 and 22) and Part 3 — 30 October 2014 (*Gazette S400, 29 October 2014*)

Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014 — Part 6 and Part 7 (except Division 3 and s 151) — 21 January 2015 (*Gazette S10, 20 January 2015*)

Courts Legislation Miscellaneous Amendments Act 2014 — Division 2 of Part 3 — 15 October 2014; Parts 2, 4 (except ss 68, 69(2), 70, 71 and 73) and 6 — 10 November 2014; Part 5 — 1 April 2015 (*Gazette S364, 14 October 2014*); ss 68, 69(2), 70 and 71 — 1 January 2015 (*Gazette S376, 21 October 2014*)

Crime Statistics Act 2014 — Whole Act (other than Division 3 of Part 4) — 1 January 2015 (*Gazette S364, 14 October 2014*)

Crimes Amendment (Sexual Offences and Other Matters) Act 2014 — Sections 8 and 9, Part 6 and Divisions 1 and 8 of Part 7 — 3 November 2014 (*Gazette S400, 29 October 2014*)

Drugs, Poisons and Controlled Substances Further Amendment Act 2014 — Whole Act — 30 October 2014 (*Gazette S400, 29 October 2014*)

Family Violence Protection Amendment Act 2014 — Whole Act (except ss 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 21) — 2 November 2014 (*Gazette S400, 29 October 2014*)

Gambling and Liquor Further Amendment Act 2014 — Sections 4, 6, 7, 9, 13, 14, 22, 23, 24, 32, 34, 37, 38, 39, 40, 43, 44, 45 and 46 and Part 4 — 15 October 2014 (*Gazette S364, 14 October 2014*)

Gambling and Liquor Legislation Amendment (Modernisation) Act 2014 — Part 1, ss 53, 54 and Part 3 — 15 October 2014 (*Gazette S364, 14 October 2014*)

Inquiries Act 2014 — Whole Act (except s 148) — 15 October 2014 (*Gazette S364, 14 October 2014*)

Justice Legislation Amendment (Confiscation and Other Matters) Act 2014 — Divisions 1 and 3 of Part 2 and Parts 6, 8 and 9 (other than s 60) — 2 November 2014 (*Gazette S400, 29 October 2014*)

Justice Legislation Amendment (Succession and Surrogacy) Act 2014 — Parts 1 and 6 — 30 October 2014; remaining provisions — 1 January 2015 (*Gazette S400, 29 October 2014*)

Road Legislation Amendment Act 2013 — Sections 10, 12, 18(1) and (2) and 19 — 1 November 2014; s 13 — 1 March 2015 (*Gazette S400, 29 October 2014*)

Wills Amendment (International Wills) Act 2012 — Whole Act — 10 March 2015 (*Gazette S376, 21 October 2014*).

3 **STATEMENTS BY MEMBERS** — Statements by members were made.

4 **EDUCATION AND TRAINING REFORM AMENDMENT (CHILD SAFE SCHOOLS) BILL 2015** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 11 March 2015.

5 **LIMITATION OF ACTIONS AMENDMENT (CHILD ABUSE) BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 11 March 2015.

6 **PUBLIC HEALTH AND WELLBEING AMENDMENT (HAIRDRESSING REGISTRATION) BILL 2015** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 11 March 2015.

- 7 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 11 March 2015.

- 8 **VETERANS AND OTHER ACTS AMENDMENT BILL 2015** — *Ms Garrett tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Garrett*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 11 March 2015.

- 9 **CEMETERIES AND CREMATORIA AMENDMENT (VETERANS REFORM) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 12 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — JOBS, INVESTMENT AND CONFIDENCE** — The House was informed that Mr Smith (*Warrandyte*) had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House expresses concern on behalf of Victorians at the Andrews Government's broken promises of shovel ready projects and the consequences for jobs, investment and confidence in our state.'

Mr Smith (*Warrandyte*) addressed the House — Discussion followed.

- 13 **CEMETERIES AND CREMATORIA AMENDMENT (VETERANS REFORM) BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **INTERPRETATION OF LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **SUMMARY OFFENCES AMENDMENT (MOVE-ON LAWS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.38 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 9 — Thursday 26 February 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **ACTING SPEAKER** — The following warrant appointing an Acting Speaker was tabled by the Speaker:

VICTORIA LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Lizzie Blandthorn to preside as an Acting Speaker whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrant of 11 February 2015.

Given under my hand on 26 February 2015.

Telmo Languiller MP
SPEAKER.

- 3 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents in accordance with an Act of Parliament:

Auditor-General:

Effectiveness of Support for Local Government — Ordered to be published
Local Government: Results of the 2013–14 Audits — Ordered to be published.

- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 17 March 2015 (*Ms Allan*) — put and agreed to.

- 5 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 6 **SUMMARY OFFENCES AMENDMENT (MOVE-ON LAWS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 7 **PARLIAMENTARY COMMITTEES AND INQUIRIES ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 10 **PARLIAMENTARY COMMITTEES AND INQUIRIES ACTS AMENDMENT BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until consultation has taken place with members of Parliament regarding the number, structure and functions of parliamentary committees' (*Mr Hibbins*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **SUMMARY OFFENCES AMENDMENT (MOVE-ON LAWS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Napthine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill considered in detail (*see pp 49–50*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 24 February 2015 had expired.

Question — That clause 7 stand part of the Bill — put and agreed to.

Question — That clauses 8 and 9 stand part of the Bill, the Bill be agreed to without amendment, and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **PARLIAMENTARY COMMITTEES AND INQUIRIES ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until consultation has taken place with members of Parliament regarding the number, structure and functions of parliamentary committees'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Napthine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Napthine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **CEMETERIES AND CREMATORIA AMENDMENT (VETERANS REFORM) AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **INTERPRETATION OF LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.10 pm under sessional orders.

- 15 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.49 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL Supplement to Votes Nos 6, 7, 8 and 9

No 9 — Thursday 26 February 2015

SUMMARY OFFENCES AMENDMENT (MOVE-ON LAWS) BILL 2015

Clause 1, Question — That clause 1 stand part of the Bill — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodggett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Napthine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Clause agreed to.

Clauses 2 and 3 agreed to.

Clause 4, Question — That clause 4 stand part of the Bill — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodggett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Napthine; Mr Northe; Mr O'Brien; Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Clause agreed to.

Clauses 5 and 6 agreed to.

Clause 7 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 24 February 2015 had expired (for remaining stages see p 46).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 10, 11 and 12

No 10 — Tuesday 17 March 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **JURY DIRECTIONS BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to simplify and clarify the law on jury directions in criminal trials and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **NATIONAL PARKS AMENDMENT (PROHIBITING CATTLE GRAZING) BILL 2015** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the **National Parks Act 1975** in relation to cattle grazing and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **MENTAL HEALTH AMENDMENT BILL 2015** — Mr Foley obtained leave to bring in a Bill '*for an Act to make various miscellaneous amendments to the **Mental Health Act 2014** and the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **DOMESTIC ANIMALS AMENDMENT BILL 2015** — Ms Allan obtained leave to bring in a Bill '*for an Act to amend the **Domestic Animals Act 1994** to provide for a moratorium on the destruction of restricted breed dogs in certain circumstances and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **DOCUMENTS**
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 2 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Back to Work Bill 2014
Education and Training Reform Amendment (Child Safe Schools) Bill 2015
Legal Profession Uniform Law Application Amendment Bill 2015
Limitation of Actions Amendment (Child Abuse) Bill 2015
Public Health and Wellbeing Amendment (Hairdressing Registration) Bill 2015
Veterans and Other Acts Amendment Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Financial Management Act 1994:

2014–15 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2014

Reports from the Minister for Environment, Climate Change and Water that she had not received the reports 2013–14 of the:

Falls Creek Alpine Resort Management Board, together with an explanation for the delay

Mount Baw Baw Alpine Resort Management Board, together with an explanation for the delay

Interpretation of Legislation Act 1984 — Notice under s 32(4)(a)(iii) in relation to Waste Management Policy (Solid Fuel Heating) 2004 (*Gazette G8, 26 February 2015*)

Lake Mountain Alpine Resort Management Board — Report year ended 31 October 2014

Mount Buller and Mount Stirling Alpine Resort Management Board — Report year ended 31 October 2014

Mount Hotham Alpine Resort Management Board — Report year ended 31 October 2014

Parliamentary Committees Act 2003 — Government response to the Law Reform, Drugs and Crime Prevention Committee's Report on the Inquiry into the supply and use of methamphetamines, particularly 'ice', in Victoria

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Corangamite — C41, GC20

Frankston — C106, GC20

Glen Eira — C113, C120

Greater Bendigo — C158

Greater Geelong — C298

Greater Shepparton — C134

Hindmarsh — C13

Horsham — GC20

Hume — C195

Indigo — GC20

Kingston — C121

Mansfield — GC20

Maroondah — GC20

Melton — C112

Moira — GC20

Moonee Valley — C134

Moorabool — C53

Mornington Peninsula — C174 Part 3

Murrindindi — C56

Nillumbik — GC20

Northern Grampians — GC20

Stonnington — GC20

Strathbogrie — GC20

Towong — GC20

Wangaratta — GC20

Wodonga — C93, GC20

Yarra Ranges — C137, C141

Statutory Rules under the following Acts:

Constitution Act 1975 — SR 10

Corporations (Ancillary Provisions) Act 2001 — SR 10

Supreme Court Act 1986 — SRs 10, 11

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 9, 10, 11

Documents under s 16B in relation to the *Racing Act 1958* — Amendments to the Greyhound Racing Victoria Local Racing Rules.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014 — Part 4, Part 5, Division 3 of Part 7 and s 151 — 4 March 2015 (*Gazette S44, 3 March 2015*).

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Education and Training Reform Amendment (Funding of Non-Government Schools) Bill 2014
Wrongs Amendment (Asbestos Related Claims) Bill 2014.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Back to Work Bill 2014 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

- 11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 10 March 2015, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Education and Training Reform Amendment (Funding of Non-Government Schools) Bill 2014
Wrongs Amendment (Asbestos Related Claims) Bill 2014.

- 12 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Limitation of Actions Amendment (Child Abuse) Bill 2015.

- 13 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Deputy Speaker announced that the Speaker had received the following letter from the Governor:

25 February 2015

The Hon Telmo Languiller MP
Speaker
Legislative Assembly
Parliament House
Melbourne Vic 3002

Dear Speaker

I write to advise that today Mr Danny O'Brien MP handed me his letter of resignation as Member for Eastern Victoria Region. A copy of that letter is enclosed for your records.

I have written to the Premier and President of the Council in substantially like terms.

As you know, upon Mr O'Brien's resignation, his seat in the Legislative Council became vacant. In the circumstances, a joint sitting of the Council and Assembly is required to fill this vacancy in accordance with section 27A of the *Constitution Act 1975*. I assume that you and the President will arrange for that to take place.

Yours sincerely

Alex Chernov
Governor.

- 14 **VICTORIAN HEALTH PROMOTION FOUNDATION** — The Deputy Speaker announced that the Speaker had received the following letter:

Hon Telmo Languiller MP
Speaker of the Legislative Assembly
Parliament House
Spring Street
MELBOURNE VIC 3000

Dear Mr Speaker

RE: MEMBERSHIP — THE VICTORIAN HEALTH PROMOTION FOUNDATION

The Victorian Health Promotion Foundation was established under section 16 of the *Tobacco Act 1987* to promote good health and prevent illness in the community.

Under section 21(1)(f) of the Act three persons who are members of the Legislative Council or the Legislative Assembly are elected as members of the Foundation by the Legislative Council and Legislative Assembly jointly. A Parliamentary member of the Foundation holds office for three years but is eligible for re-election.

Currently, there are no Parliamentary members on the Foundation.

I would be grateful if you could place the election of three members of the Foundation on the agenda for a joint sitting of both Houses.

Yours sincerely

Hon Jill Hennessy MP
Minister for Health
Minister for Ambulance Services
1/2/2015.

- 15 **VICTORIAN RESPONSIBLE GAMBLING FOUNDATION** — The Deputy Speaker announced that the Speaker had received the following letter:

15 January 2015

The Hon Telmo Languiller MP
Speaker of the Legislative Assembly
Parliament House
Spring Street
MELBOURNE VIC 3002

Dear Speaker

Election of Members to the Board of the Victorian Responsible Gambling Foundation

The *Victorian Responsible Gambling Foundation Act 2011* (VRGF Act) provides for three members of the Board of the Victorian Responsible Gambling Foundation (the Foundation) to be members of the Legislative Assembly or the Legislative Council elected jointly.

Section 11 of the VRGF Act provides that an elected member holds office for either four years after the member's election to the Board or until a House of Parliament is prorogued or the Legislative Assembly is dissolved.

I would be grateful if arrangements could be made for a joint sitting to occur, at the earliest time that is convenient for both Houses of Parliament, to elect three parliamentary members to the Board of the Foundation to fill the vacancies created when the Legislative Assembly was dissolved in November 2014.

I am writing similarly to the President of the Legislative Council and will send a copy of this letter to the Clerk of the Legislative Assembly.

Yours sincerely

Jane Garrett MP

Minister for Consumer Affairs, Gaming and Liquor Regulation.

- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 19 March 2015:

Back to Work Bill 2014 — Amendment of the Legislative Council
 Education and Training Reform Amendment (Child Safe Schools) Bill 2015
 Legal Profession Uniform Law Application Amendment Bill 2015
 Limitation of Actions Amendment (Child Abuse) Bill 2015
 Public Health and Wellbeing Amendment (Hairdressing Registration) Bill 2015
 Veterans and Other Acts Amendment Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

- 17 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 18 **BACK TO WORK BILL 2014** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to with amendments.

Message sent to the Legislative Council informing them accordingly.

- 19 **EDUCATION AND TRAINING REFORM AMENDMENT (CHILD SAFE SCHOOLS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Garrett*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **LIMITATION OF ACTIONS AMENDMENT (CHILD ABUSE) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.40 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 11 — Wednesday 18 March 2015

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Western Highway Duplication Project — Requesting that the Legislative Assembly defers the Western Highway Duplication Project in order to consider more efficient routes and plans, bearing 39 signatures (*Ms Staley*)

Mt Langi Ghiran Road Work Alternative Proposal — Requesting that the Legislative Assembly directs the Minister for Roads and Road Safety to instruct VicRoads to consider an alternative proposal for work planned for the highway near Mt Langi Ghiran, bearing 245 signatures (*Ms Staley*).

Petitions ordered to be tabled.

- 3 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents in accordance with an Act of Parliament:

Auditor-General:

Education Transitions — Ordered to be published

Managing Regulator Performance in the Health Portfolio — Ordered to be published.

- 4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Cemeteries and Crematoria Amendment (Veterans Reform) Bill 2015 without amendment.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the amendments made by the Legislative Assembly to the amendment made by the Legislative Council in the Back to Work Bill 2014.

- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 7 **JURY DIRECTIONS BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 1 April 2015.

- 8 **NATIONAL PARKS AMENDMENT (PROHIBITING CATTLE GRAZING) BILL 2015** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 1 April 2015.

- 9 **MENTAL HEALTH AMENDMENT BILL 2015** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 1 April 2015.

- 10 **DOMESTIC ANIMALS AMENDMENT BILL 2015** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 1 April 2015.

- 11 **LIMITATION OF ACTIONS AMENDMENT (CHILD ABUSE) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **PUBLIC HEALTH AND WELLBEING AMENDMENT (HAIRDRESSING REGISTRATION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — COALITION GOVERNMENT TERM** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —
- 'That this House condemns the former Coalition Government for four wasted years in office, where it squandered the economic opportunity provided to it by a strong AAA credit-rated Victorian economy, broke election key promises and presided over the most dysfunctional and chaotic government in Victorian political history.'
- Mr Merlino addressed the House — Discussion followed.
- 16 **PUBLIC HEALTH AND WELLBEING AMENDMENT (HAIRDRESSING REGISTRATION) BILL 2015** — Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Northe*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 17 **VETERANS AND OTHER ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 18 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 8 be postponed until later this day.
- 19 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*); debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.32 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 12 — Thursday 19 March 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **RETURN TO WRIT** — The Speaker announced that he had received a return to the writ issued on 17 February 2015 which states that Daniel O'Brien has been elected for the Electoral District of Gippsland South.
- 3 **MEMBER SWORN** — Daniel O'Brien was then introduced and took and subscribed the oath required by law.

- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Emergency Service Response Times — Ordered to be published

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR 14

Fisheries Act 1995 — SR 12

Infringements Act 2006 — SR 13

Surveying Act 2004 — SR 15

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 12, 13, 14, 15

Documents under s 16B in relation to the *EastLink Project Act 2004*:

Order under s 7 varying the Project area

Order under s 7 varying the Extended Project area.

- 5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 14 April 2015 (*Ms Allan*) — put and agreed to.

- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 7 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*); debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — after debate, put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 37

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Napthine; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Debate resumed on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*).

Business having been interrupted at 11.00 am under sessional orders.

- 8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

10 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Resumption of debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*).

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

11 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Pakula announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

12 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Interpretation of Legislation Amendment Bill 2015
Summary Offences Amendment (Move-on Laws) Bill 2015.

13 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*); debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — after debate, put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodggett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Debate resumed on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 17 March 2015 had expired.

- 14 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, the Government amendment be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **EDUCATION AND TRAINING REFORM AMENDMENT (CHILD SAFE SCHOOLS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **LIMITATION OF ACTIONS AMENDMENT (CHILD ABUSE) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **PUBLIC HEALTH AND WELLBEING AMENDMENT (HAIRDRESSING REGISTRATION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **VETERANS AND OTHER ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.40 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 13, 14 and 15

No 13 — Tuesday 14 April 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF DARYL HEDLEY ROBERT McCLURE** — The Speaker announced the death of Daryl Hedley Robert McClure, Member of the Legislative Assembly for the Electoral District of Bendigo from 1973 to 1982; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 5 **CRIMES AMENDMENT (REPEAL OF SECTION 19A) BILL 2015** — Mr Pakula obtained leave to bring in a Bill *'for an Act to repeal section 19A of the Crimes Act 1958 and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **SENTENCING AMENDMENT (CORRECTION OF SENTENCING ERROR) BILL 2015** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the Sentencing Act 1991 to provide further for the correction of sentencing errors and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **JUSTICE LEGISLATION AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the Confiscation Act 1997, the Control of Weapons Act 1990, the Emergency Management Act 2013, the Emergency Management Amendment (Critical Infrastructure Resilience) Act 2014, the Sex Offenders Registration Act 2004, the Victorian Civil and Administrative Tribunal Act 1998, the Crimes Act 1958, the Working with Children Act 2005, the Family Violence Protection Amendment Act 2014, the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997, the Corrections Act 1986, the Working with Children Amendment (Ministers of Religion and Other Matters) Act 2014 and the Road Legislation Amendment Act 2013, to repeal the Magistrates' Court Amendment (Assessment and Referral Court List) Act 2010 and to make miscellaneous amendments to various Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **REGIONAL DEVELOPMENT VICTORIA AMENDMENT (JOBS AND INFRASTRUCTURE) BILL 2015** — Ms Allan obtained leave to bring in a Bill *'for an Act to amend the Regional Development Victoria Act 2002 to establish a Regional Jobs and Infrastructure Fund and to establish a Regional Development Advisory Committee and to repeal the Regional Growth Fund Act 2011 and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
Coeducational High School for Preston — Requesting that the Legislative Assembly reopens Preston Girls Secondary College, Cooma site, Preston, as a coeducational high school, bearing 561 signatures (*Mr Scott*).

Ordered to be tabled.

10 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 3 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Domestic Animals Amendment Bill 2015
 Jury Directions Bill 2015
 Mental Health Amendment Bill 2015
 National Parks Amendment (Prohibiting Cattle Grazing) Bill 2015
 Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Australian Crime Commission — Report 2013–14

Commissioner for Environmental Sustainability Act 2003 — Strategic Audit: Environment Management Systems in Victorian Government 2013–14

Crimes Act 1958 — Instrument of Authorisation under s 464Z

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:
 Gasworks Park Reserve
 Lynch's Bridge Historical Precinct Reserve
 St Kilda Botanical Gardens Reserve
 Orders under s 17D granting leases over:
 Gasworks Park Reserve
 Mitchell Park Reserve

Drugs, Poisons and Controlled Substances Act 1981 — Report 2014 under s 96

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Guidelines for assessing fitness to drive under s 27 of the *Road Safety Act 1986* (*Gazette S60, 25 March 2015*)

Parliamentary Committees Act 2003:

Government response to the Family and Community Development Committee's Report on the Inquiry into Social Inclusion and Victorians with a Disability
 Government response to the Public Accounts and Estimates Committee's Report on the Review of the Auditor-General's Reports 2009–11

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C135
 Boroondara — C108
 Casey — C157
 Frankston — C108
 Greater Geelong — C323
 Greater Shepparton — C165

Maribyrnong — C125
 Melton — C70
 Moonee Valley — C100, C155
 Mornington Peninsula — C174 Part 1
 South Gippsland — C83 Part 2
 Stonnington — C192
 Victoria Planning Provisions — VC124
 Whitehorse — C163
 Whittlesea — C130
 Wodonga — C108
 Wyndham — C150 Part 1
 Yarra — C182

Statutory Rules under the following Acts:

Building Act 1993 — SR 21
Forests Act 1958 — SR 17
Heritage Act 1995 — SR 20
Inquiries Act 2014 — SR 22
National Parks Act 1975 — SR 18
Racing Act 1958 — SR 19
Wildlife Act 1975 — SR 16

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 16, 17, 18, 19, 20, 21
 Documents under s 16B in relation to the *Gambling Regulation Act 2003*:
 Notice under section 3.6.5A, fixing the value of the supervision charge
 Victorian Pre-commitment System Requirements Standard

Victorian Energy Efficiency Target Act 2007 — Independent Review of the operation of the Act.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Primary Industries Legislation Amendment Act 2014 — Whole Act (except s 15 and Parts 4, 5 and 6) — 11 April 2015 (*Gazette S66, 31 March 2015*)
Tobacco Amendment Act 2014 — Whole Act — 13 April 2015 (*Gazette S66, 31 March 2015*).

- 11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 25 March 2015, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Back to Work Bill 2014
 Cemeteries and Crematoria Amendment (Veterans Reform) Bill 2015
 Interpretation of Legislation Amendment Bill 2015
 Summary Offences Amendment (Move-on Laws) Bill 2015.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following items be considered and completed by 5.00 pm on Thursday 16 April 2015:

Address-in-Reply to the Governor's Speech
 Domestic Animals Amendment Bill 2015
 Jury Directions Bill 2015
 Mental Health Amendment Bill 2015

National Parks Amendment (Prohibiting Cattle Grazing) Bill 2015

(*Ms Allan*) — after debate, put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 47

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Napthine; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

13 **STATEMENTS BY MEMBERS** — Statements by members were made.

14 **JURY DIRECTIONS BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

15 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Acting Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Council rendered vacant by the resignation of Danny O'Brien and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 15 April 2015 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 15 April 2015 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Council rendered vacant by the resignation of Danny O'Brien (*Ms Hennessy*) — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

16 **MENTAL HEALTH AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

Business having been interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.38 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 14 — Wednesday 15 April 2015

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Health and Wellbeing Centre in Belmont — Requesting that the Legislative Assembly funds the Health and Wellbeing Centre in Belmont for the ongoing rehabilitative and preventative health benefits it provides for the residents of Geelong, bearing 1897 signatures (*Ms Couzens*)

Newcomb Bus Service — Requesting that the Legislative Assembly not allow proposed changes to the Newcomb number 55 bus service to proceed, bearing 248 signatures (*Ms Couzens*)

Funds for Beaconsfield CFA Station — Requesting that the Legislative Assembly urges the State Government to provide funds for a new station for Beaconsfield CFA, bearing 664 signatures (*Mr Battin*)

Glenroy First Nations Community Hub — Requesting that the Legislative Assembly supports granting six acres of land or more at 208 Hilton Street, Glenroy for the purpose of establishing a multifunctional Community Hub owned and controlled by the First Nations, bearing 15 signatures (*Ms Blandthorn*).

Petitions ordered to be tabled.

- 3 **PETITION — FUNDS FOR BEACONSFIELD CFA STATION** — Motion made and question — That the petition presented by the Member for Gembrook be taken into consideration tomorrow (*Mr Battin*) — put and agreed to.

- 4 **PETITION — GLENROY FIRST NATIONS COMMUNITY HUB** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Blandthorn*) — put and agreed to.

- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Digital Dashboard: Status Review of ICT Projects and Initiatives — Ordered to be published

Palliative Care — Ordered to be published

Crimes (Assumed Identities) Act 2004 — Report 2013–14 under s 31

Ombudsman — Investigation into Department of Health oversight of Mentone Gardens, a Supported Residential Service — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2014–15 Budget Estimates Part Two

Surveillance Devices Act 1999 — Report 2013–14 under s 30L

Terrorism (Community Protection) Act 2003 — Report 2013–14 under ss 13 and 13ZR

Victorian Environmental Assessment Council Act 2001 — Amended request and statement under s 16.

6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Education and Training Reform Amendment (Child Safe Schools) Bill 2015

Limitation of Actions Amendment (Child Abuse) Bill 2015

Veterans and Other Acts Amendment Bill 2015.

7 **STATEMENTS BY MEMBERS** — Statements by members were made.

8 **CRIMES AMENDMENT (REPEAL OF SECTION 19A) BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 29 April 2015.

9 **SENTENCING AMENDMENT (CORRECTION OF SENTENCING ERROR) BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 29 April 2015.

10 **JUSTICE LEGISLATION AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 29 April 2015.

- 11 **REGIONAL DEVELOPMENT VICTORIA AMENDMENT (JOBS AND INFRASTRUCTURE) BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 29 April 2015.

- 12 **NATIONAL PARKS AMENDMENT (PROHIBITING CATTLE GRAZING) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 14 **DOCUMENTS**

EAST WEST LINK — Project documents for public release (two volumes) tabled by leave (*Mr Pallas*).

DTF ASSESSMENT OF EAST WEST LINK — EASTERN SECTION CONTRACTED PPP PROJECT COST — Letter tabled by leave (*Mr Pallas*).

- 15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 16 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 17 **NATIONAL PARKS AMENDMENT (PROHIBITING CATTLE GRAZING) BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Acting Speaker reported that the House met today with the Legislative Council for the purpose of choosing a person to hold the seat in the Council rendered vacant by the resignation of Danny O'Brien and that Ms Melina Bath has been duly chosen to hold the vacant place.

- 19 **DOMESTIC ANIMALS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.35 pm.

No 15 — Thursday 16 April 2015

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Additional Frontline Police — Requesting that the Legislative Assembly calls on the Government to commit to providing additional frontline police, bearing 64 signatures (*Mr Burgess*)

Funding for Regional Roads in Western Victoria — Requesting that the Legislative Assembly calls on the Government to provide funds for rural and regional roads in Western Victoria, bearing 715 signatures (*Ms Kealy*)

Public Transport in Sandringham — Requesting that the Legislative Assembly calls on the Minister for Public Transport to maintain and improve the delivery of reliable public transport services within the Sandringham electorate, bearing 352 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

3 **PETITION — PUBLIC TRANSPORT IN SANDRINGHAM** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

4 **PETITION — ADDITIONAL FRONTLINE POLICE** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

5 **PETITION — FUNDING FOR REGIONAL ROADS IN WESTERN VICTORIA** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

6 **DOCUMENTS**

UNIVERSITY OF DIVINITY — Report 2014 tabled by leave (*Mr Merlino*).

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following documents in accordance with an Act of Parliament:

Bendigo Kangan Institute — Report 2014

Box Hill Institute — Report 2014

Centre for Adult Education — Report 2014

Chisholm Institute — Report 2014

Deakin University — Report 2014

Driver Education Centre of Australia Ltd — Report 2014

Federation University Australia — Report 2014

Gordon Institute of TAFE — Report 2014

Goulburn Ovens Institute of TAFE — Report 2014 (two documents)

Holmesglen Institute — Report 2014

La Trobe University — Report 2014

Melbourne University — Report 2014 (two documents)

Monash University — Report 2014

RMIT University — Report 2014

South West Institute of TAFE — Report 2014

Sunraysia Institute of TAFE — Report 2014

Swinburne University of Technology — Report 2014

Victoria University — Report 2014

William Angliss Institute of TAFE — Report 2014

Wodonga Institute of TAFE — Report 2014.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 5 May 2015 (*Ms Hennessy*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **DOMESTIC ANIMALS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

12 **DOMESTIC ANIMALS AMENDMENT BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Richardson, Northcote*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Legal Profession Uniform Law Application Amendment Bill 2015 without amendment.

14 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*); debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Public Health and Wellbeing Amendment (Hairdressing Registration) Bill 2015 without amendment.

16 **ENVIRONMENT AND NATURAL RESOURCES COMMITTEE** — The Speaker announced that he had received the resignation of Ms Symes, MLC from the Environment and Natural Resources Committee, effective from today.

17 **JOINT INVESTIGATORY COMMITTEES** — Motion made, by leave, and question — That:

- (1) Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson (*Footscray*) be members of the **Accountability and Oversight Committee**.
- (2) Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence be members of the **Electoral Matters Committee**.
- (3) Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy, Ms McLeish, and Ms Sheed be members of the **Family and Community Development Committee**.
- (4) Mrs Fyffe, Mr Hibbins, Mr O'Brien (*Gippsland South*), Mr Richardson (*Mordialloc*), Ms Thomson (*Footscray*) and Mr Wells be members of the **IBAC Committee**.
- (5) Mr Dimopoulos, Mr Morris, Mr O'Brien (*Gippsland South*), Mr Pearson, Mr Smith (*Kew*) and Ms Ward be members of the **Public Accounts and Estimates Committee**.
- (6) Contingent upon the coming into operation of the *Parliamentary Committees and Inquiries Acts Amendment Act 2015*:
 - (a) Mr Crisp, Mr Perera and Ms Ryall be members of the **Economic, Education, Jobs and Skills Committee**;
 - (b) Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson (*Sandringham*) and Mr Tilley be members of the **Law Reform, Road and Community Safety Committee** —

(*Ms Allan*) — put and agreed to.

18 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:

- (1) Mr Bull (*Sunbury*), Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson (*Sandringham*) be members of the **House Committee**.
- (2) Ms Allan, Mr Clark, Mr Merlino, Mr O'Brien (*Malvern*), Mr Pakula, Ms Richardson (*Northcote*) and Mr Walsh be members of the **Dispute Resolution Committee**.
- (3) a Select Committee be appointed to inquire into and report upon complaints of breach of **privilege** referred to it by the House and right of reply applications referred under SO 227; such Committee to consist of Ms Allan, Ms D'Ambrosio, Mr Morris, Mr Mulder, Ms Neville, Ms Ryan, Mr Scott and Mr Wells and that five be the quorum.
- (4) a Select Committee be appointed to consider and report upon the **Standing Orders** and practices of the House, such Committee to consist of the Speaker, Ms Allan, Ms Asher, Mr Brooks, Mr Clark, Mr Hibbins, Mr Hodgett, Ms Kairouz, Mr Nardella, Ms Ryan and Ms Sheed and that six be the quorum —

(*Ms Allan*) — put and agreed to.

19 **STANDING ORDERS COMMITTEE** — Motion made, by leave, and question — That:

- (1) There be referred to the Standing Orders Committee for consideration, inquiry and report:
 - (a) scope and overlap of joint committees and Legislative Council Committees, including options for resolving any issues;
 - (b) options for Public Accounts and Estimates Committee reform;
 - (c) appropriate size and chairing arrangements of committees;
 - (d) opportunities to enhance participation in the running of committees;
- (2) The Standing Orders Committee have the power to confer with the Procedure Committee of the Legislative Council in completing the inquiry and to report jointly to the House; and
- (3) A message be sent to the Legislative Council advising them accordingly —

(*Ms Allan*) — put and agreed to.

20 **NATIONAL PARKS AMENDMENT (PROHIBITING CATTLE GRAZING) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Question — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 45

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphine; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill considered in detail (*see p 75*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of items under the resolution of the House on Tuesday 14 April 2015 had expired.

Question — That clause 3 stand part of the Bill — put and agreed to.

Question — That clauses 4 and 5 stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **JURY DIRECTIONS BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **MENTAL HEALTH AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 23 **DOMESTIC ANIMALS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 24 **ADDRESS-IN-REPLY TO THE GOVERNOR'S SPEECH** — Order read for resuming debate on question — That the following Address, in reply to the speech of the Governor to both Houses of Parliament, be agreed to by this House (*for Address see p 10, 23 December 2014*).

Question — put, and Address agreed to.

Business having been interrupted at 5.03 pm under sessional orders.

- 25 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Acting Speaker left the Chair at 5.40 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 13, 14 and 15

No 15 — Thursday 16 April 2015

NATIONAL PARKS AMENDMENT (PROHIBITING CATTLE GRAZING) BILL 2015

Clause 1 agreed to.

DOCUMENT

BREEDS OF BEEF CATTLE — Extract from Department of Environment and Primary Industries website tabled by leave (*Dr Naphine*).

Clause 2 agreed to.

Clause 3 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of items under the resolution of the House on Tuesday 14 April 2015 had expired (for remaining stages see p 73).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 16, 17 and 18

No 16 — Tuesday 5 May 2015

1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

4 **COURT SERVICES VICTORIA AND OTHER ACTS AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Court Services Victoria Act 2014** to make provision for the employment of the chief executive officer of the Judicial College of Victoria, to amend the **Financial Management Act 1994** to provide Court Services Victoria with greater budget flexibility and to amend the **Independent Broad-based Anti-corruption Commission Act 2011** to clarify the role of the Chief Executive Officer of Court Services Victoria in relation to complaints made to, and investigations by, the Independent Broad-based Anti-corruption Commission and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **WRONGS AMENDMENT (PRISONER RELATED COMPENSATION) BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Wrongs Act 1958** to restrict the amount of damages that may be awarded for non-economic loss in respect of mental harm caused by the death or injury of a prisoner if as an adult the claimant has been convicted of an offence and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

6 **STATE TAXATION ACTS AMENDMENT BILL 2015** — Mr Pallas obtained leave to bring in a Bill '*for an Act to amend the **Duties Act 2000**, the **Land Tax Act 2005** and the **Taxation Administration Act 1997** and to consequentially amend the **Back to Work Act 2015** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **DOCUMENTS**

BUDGET PAPERS 2015–16 —

Budget Paper No 1 — Treasurer's Speech

Budget Paper No 4 — State Capital Program

Budget Overview

Budget Information Paper — Putting People First

Budget Information Paper — Getting On With It

Budget Information Paper — Rural and Regional

Budget Information Paper — Suburban Growth

tabled by leave (*Mr Pallas*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 4 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Repeal of Section 19A) Bill 2015

Justice Legislation Amendment Bill 2015

Regional Development Victoria Amendment (Jobs and Infrastructure) Bill 2015
 Sentencing Amendment (Correction of Sentencing Error) Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Anti-Cancer Council of Victoria — Report 2014

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Bannockburn Bushland Reserve

Orders under s 17D granting leases over:

Mt Rouse Public Park Reserve

Victoria Park Reserve

Financial Management Act 1994:

Budget Paper No 2 — Strategy and Outlook 2015–16

Budget Paper No 3 — Service Delivery 2015–16

Budget Paper No 5 — Statement of Finances 2015–16 incorporating Quarterly Financial Report No 3
 Report from the Minister for Training and Skills that he had not received the Report 2014 of
 Federation Training, together with an explanation for the delay

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule
 20 (*Gazette G15, 16 April 2015*)

Melbourne City Link Act 1995:

Melbourne City Link Thirty-Third Amending Deed (10 documents)

Melbourne City Link and Extension Projects Integration and Facilitation Agreement Twenty-Second
 Amending Deed

Exhibition Street Extension Fifteenth Amending Deed

Melbourne Polytechnic — Report 2014

Municipal Association of Victoria — Report 2013–14

National Health Funding Pool — Report 2013–14

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning
 Schemes:

Bayside — C137

Buloke — C19

Darebin — C130, C135

Frankston — C102

Gannawarra — C41

Glen Eira — C102

Golden Plains — C68

Greater Dandenong — C170

Greater Geelong — C305

Knox — C135

Maribyrnong — C150
 Maroondah — C99
 Melbourne — GC29
 Melton — C142
 Moonee Valley — C145
 Mornington Peninsula — C176 Part 2
 Port Phillip — GC29
 Stonnington — C181
 Strathbogie — C42
 South Gippsland — C52 Part 2, C96
 Southern Grampians — C28
 Wodonga — C113
 Wyndham — C213
 Yarra — C178

Professional Standards Act 2003 — New South Wales Bar Association Scheme under s 14 (*Gazette S92, 23 April 2015*)

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2013–14

Statutory Rules under the following Acts:

Casino Control Act 1991 — SR 27
Environment Protection Act 1970 — SR 25
Plant Biosecurity Act 2010 — SR 23
Tobacco Act 1987 — SR 26
Victorian Civil and Administrative Tribunal Act 1998 — SR 24

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 22, 23, 24, 25, 26, 27
 Documents under s 16B in relation to the *EastLink Project Act 2004*:
 Order under s 56 surrendering interests in unreserved Crown land
 Order under s 62 for revocation of part of the temporary reservation of Crown land.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Informing the Legislative Assembly that they have agreed to the following resolution — That:

- (1) There be referred to the Procedure Committee for consideration, inquiry and report:
 - (a) scope and overlap of joint committees and Legislative Council Committees, including options for resolving any issues;
 - (b) options for Public Accounts and Estimates Committee reform;
 - (c) appropriate size and chairing arrangements of committees; and
 - (d) opportunities to enhance participation in the running of committees;
- (2) The Procedure Committee have the power to confer with the Standing Orders Committee of the Legislative Assembly in completing the inquiry and to report jointly to the House.

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Parliamentary Committees and Inquiries Acts Amendment Bill 2015 without amendment.

- 10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 21 April 2015, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Education and Training Reform Amendment (Child Safe Schools) Bill 2015
 Legal Profession Uniform Law Application Amendment Bill 2015
 Limitation of Actions Amendment (Child Abuse) Bill 2015
 Parliamentary Committees and Inquiries Acts Amendment Bill 2015
 Public Health and Wellbeing Amendment (Hairdressing Registration) Bill 2015
 Veterans and Other Acts Amendment Bill 2015.

- 11 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Justice Legislation Amendment Bill 2015.

- 12 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (2015–2016) Bill 2015, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2015/2016.

Estimates ordered to be tabled.

- 13 **APPROPRIATION (2015–2016) BILL 2015** — Mr Pallas obtained leave to bring in a Bill *'for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2015/2016 and for other purposes'*; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 7 May 2015.

- 14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2015–2016) Bill 2015, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2015/2016.

Estimates ordered to be tabled.

- 15 **APPROPRIATION (PARLIAMENT 2015–2016) BILL 2015** — Ms Allan obtained leave to bring in a Bill *'for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2015/2016 and for other purposes'*; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 7 May 2015.

- 16 **IBAC COMMITTEE AND FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE** — The Deputy Speaker announced that the Speaker had received the resignation of Mrs Fyffe from the IBAC Committee, effective from 28 April 2015, and Ms Lovell, MLC, from the Family and Community Development Committee, effective from today.
- 17 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:
- (1) Mrs Fyffe be appointed a member of the Economic, Education, Jobs and Skills Committee; and
 - (2) Ms Sandell be appointed a member of the Privileges Committee —
- (*Ms Allan*) — put and agreed to.
- 18 **PRIVILEGES COMMITTEE** — Motion made, by leave, and question — That, under SO 212, the Chair of the Privileges Committee have a deliberative vote as well as a casting vote (*Ms Allan*) — put and agreed to.
- 19 **PARLIAMENTARY COMMITTEE REFERENCES** — Motion made, by leave, and question — That under s 33 of the *Parliamentary Committees Act 2003* the following matters be referred to the joint investigatory committees specified:
- (1) To the **Economic, Education, Jobs and Skills Committee** — for inquiry, consideration and report no later than 1 May 2016 on employer schemes that provide portability of long service leave entitlements for Victorian workers and —
 - (a) in particular, the Committee is requested to investigate employer schemes that provide portability of long service leave entitlements for workers as they move between jobs in the same or similar industry, including:
 - (i) the objectives of portable long service leave schemes;
 - (ii) which sectors, industries or occupations may benefit from such schemes;
 - (iii) the rationale for any difference in treatment between sectors or groups of employees;
 - (iv) funding arrangements applying to existing portable long service leave schemes;
 - (v) governance, compliance and enforcement arrangements applying to existing portable long service leave schemes;
 - (vi) the key components that should apply to any portable long service leave scheme for the community services sector including coverage, eligibility for and the calculation of long service leave benefits;
 - (vii) whether alternative mechanisms or arrangements could better meet the objectives of a portable long service leave scheme for sectors of the workforce including the community services sector;
 - (viii) the capacity to operate such schemes within or across jurisdictions, including recognition of service;
 - (ix) the appropriate role for Government in facilitating portable long service leave schemes; and
 - (x) relevant implementation issues and options;

-
- (b) in making its recommendations the Committee should have regard to:
 - (i) constitutional or other legal issues or impediments arising from interaction with the Fair Work Act 2009 (Cth), agreements and awards operating under the fair work scheme;
 - (ii) the distinction between schemes for portability of long service leave entitlements and legal structures underpinning other leave entitlements;
 - (iii) the financial impacts or benefits of portable long service leave entitlements on employers, employees and taxpayers; and
 - (iv) the economic impact on Victorian jobs, employment and investment and whether such schemes may disproportionately affect urban or regional areas.
 - (2) To the **Electoral Matters Committee** — for inquiry, consideration and report no later than 1 December 2015 an inquiry into the conduct of the 2014 Victorian State Election.
 - (3) To the **Family and Community Development Committee** — for inquiry, consideration and completion of an interim report no later than 31 July 2015 and a final report by no later than 1 March 2016 an inquiry into abuse in disability services and —
 - (a) in particular the inquiry will include but not be limited to:
 - (i) why abuse is not reported or acted upon; and
 - (ii) how it can be prevented;
 - (b) the Committee should note that the Victorian Ombudsman is currently conducting an investigation into how allegations of abuse in the disability sector are reported and investigated, including the effectiveness of the statutory oversight mechanisms in reviewing incidents and reporting on deficiencies (Ombudsman’s investigation) and that this investigation will cover services which include residential, respite and day programs funded by the Victorian Government;
 - (c) in undertaking the inquiry, the Committee should:
 - (i) seek not to prejudice any investigations being undertaken by the Ombudsman or any Victorian Government agencies or any legal proceedings; and
 - (ii) work cooperatively with the Ombudsman to avoid unnecessary duplication;
 - (d) the inquiry will be conducted in two stages:
 - (i) Stage 1:
 - (A) the Committee should consider the strengths and weaknesses of Victoria’s regulation of the disability service system with a view to informing Victoria’s position on appropriate quality and safeguards for the National Disability Insurance Scheme, this may include issues being considered for the quality and safeguards framework including:
 - (I) workforce recruitment, screening, induction, training and supervision;
 - (II) provider registration requirements;

-
- (III) systems for handling complaints; and
 - (IV) the impact of current systemic safeguards on the rights and protections of people accessing disability services;
 - (B) the Committee should have regard to any preliminary findings, recommendations or advice from the Ombudsman's investigation, and any other evidence that the Committee considers appropriate;
 - (C) the Committee is requested to provide an interim report to the Parliament (on the matters set out in paragraph (d)(i)(A)) no later than 31 July 2015;
 - (ii) Stage 2:
 - (A) the Committee should consider any further systemic issues that impact on why abuse of people accessing services provided by disability service providers within the meaning of the *Disability Act 2006* are not reported or acted upon and this should include:
 - (I) any interim measures to strengthen the disability services system prior to transition to the National Disability Insurance Scheme;
 - (II) any measures to strengthen the capacity of providers to prevent, report and act upon abuse to enhance the capability of service providers to transition to the National Disability Insurance Scheme; and
 - (III) any measures to support people with a disability, their families and informal supports to identify, report and respond to abuse;
 - (B) the Committee should undertake research to determine best practice approaches to how abuse of people accessing services provided by disability service providers within the meaning of the *Disability Act 2006* can be prevented and this should include:
 - (I) identifying early indications of abuse;
 - (II) strategies to prevent abuse occurring;
 - (III) consideration of needs specific to particular cohorts;
 - (C) the Committee should examine the powers and processes of Victorian investigation and oversight bodies with jurisdiction over abuse of people with a disability, with particular focus on the ongoing role of these bodies in the context of the National Disability Insurance Scheme; and
 - (D) the Committee should have regard to the final report, findings and recommendations of the Ombudsman's investigation, and any other evidence that the Committee considers appropriate.
 - (4) To the **Law Reform, Road and Community Safety Committee** — for inquiry, consideration and report no later than 7 December 2015 on fuel 'drive offs', (that is, cases in which a person fills a vehicle with fuel at a petrol station and drives off without paying for the fuel) and, in particular, the inquiry will include, but not be limited to:

- (a) a review of fuel drive offs in Victoria and other Australian and overseas jurisdictions to understand the extent and nature of the problem, and its cost to industry and the community;
 - (b) consideration of best practice approaches to preventing fuel drive offs in Australia and overseas, including educational and technological measures;
 - (c) examination of 'loss prevention' measures in other industry sectors in Victoria, and other jurisdictions, that may be relevant and capable of being adopted in relation to fuel drive offs;
 - (d) current civil and criminal remedies available to address fuel drive offs and theft, and the efficacy of those remedies;
 - (e) possible linkages between fuel drive offs and crime, such as number plate theft and vehicle theft;
 - (f) analysis of regulatory, technological or other interventions that could be adopted by industry (including peak bodies), in concert with Victorian government agencies, to support the availability and application of civil remedies to respond to fuel drive offs; and
 - (g) examine the feasibility of introducing co-regulatory approaches to enforcement, including use of technology such as CCTV, or practices such as pre-payment and pre-registration and implications of such approaches for privacy.
- (5) To the **Public Accounts and Estimates Committee** — for inquiry, consideration and report no later than 1 December 2015 on the impact on Victorian Government service delivery of changes to National Partnership Agreements and, in particular, the Committee is required to:
- (a) identify and report on funding levels and any additional services the Victorian Government provides or has provided as a result of all National Partnership Agreements entered into since the 2008 Intergovernmental Agreement on Federal Financial Relations was entered into;
 - (b) examine all expiring, lapsing or amended National Partnership Agreements and the resulting changes to service delivery that have occurred or will occur in health, education, homeless services and legal assistance, and any other area of service delivery the Committee sees as relevant to the inquiry;
 - (c) identify any risks associated with the changes to service delivery referred to in paragraph (b); and
 - (d) determine the impact of the changes referred to in paragraphs (a) and (b) on cost of living for Victorians, in particular, concession card holders —

(Ms Allan) — put and agreed to.

- 20 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 7 May 2015:

Crimes Amendment (Repeal of Section 19A) Bill 2015

Justice Legislation Amendment Bill 2015

Regional Development Victoria Amendment (Jobs and Infrastructure) Bill 2015

Sentencing Amendment (Correction of Sentencing Error) Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

- 21 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 22 **CRIMES AMENDMENT (REPEAL OF SECTION 19A) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **SENTENCING AMENDMENT (CORRECTION OF SENTENCING ERROR) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.30 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 17 — Wednesday 6 May 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Occupational Violence Against Healthcare Workers — Ordered to be published
Tendering of Metropolitan Bus Contracts — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Melbourne — C212
Moreland — C153
Yarra — C176
Victoria Planning Provisions — VC119

Statutory Rule under the *Architects Act 1991* — SR 28

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 28

Victorian Law Reform Commission — Trading Trusts — Oppression Remedies — Ordered to be published.

- 3 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Domestic Animals Amendment Bill 2015
 Jury Directions Bill 2015
 National Parks Amendment (Prohibiting Cattle Grazing) Bill 2015.

- 4 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 5 **COURT SERVICES VICTORIA AND OTHER ACTS AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 May 2015.

- 6 **WRONGS AMENDMENT (PRISONER RELATED COMPENSATION) BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 May 2015.

- 7 **SENTENCING AMENDMENT (CORRECTION OF SENTENCING ERROR) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 8 **JUSTICE LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — TRANSPORT NEEDS OF A GROWING POPULATION** — The House was informed that Mr Guy had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House condemns the Andrews Labor Government for its inability to develop any sort of infrastructure agenda for Victoria to address the transport needs of a growing population, noting that:

- (a) the Tullamarine widening project was written by the former Coalition Government;
- (b) the Western Distributor project was submitted by Transurban;
- (c) the Andrews Labor Government has scrapped its Hoddle Street improvements, and has tendered for someone else to write it; and
- (d) the Metro Rail and Mernda Rail projects are unfunded.'

Mr Guy addressed the House — Discussion followed.

- 12 **JUSTICE LEGISLATION AMENDMENT BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **REGIONAL DEVELOPMENT VICTORIA AMENDMENT (JOBS AND INFRASTRUCTURE) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 14 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.34 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 18 — Thursday 7 May 2015

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Shire of Mount Alexander Councillors — Requesting that the Legislative Assembly considers removing the Shire of Mount Alexander councillors and senior council administration from office and replacing them with commissioners, bearing 1354 signatures (*Ms Edwards*)

Cranbourne West Precinct Structure Plan — Requesting that the Legislative Assembly joins the councillors of the City of Casey in support of changing inappropriately zoned industrial land to residential land, as exhibited during community consultation of the amended Cranbourne West Precinct Structure Plan in February 2015, bearing 701 signatures (*Mr Perera*)

City of Casey Cultural Precinct — Requesting that the Legislative Assembly supports the City of Casey to hold a referendum on the Casey Cultural Precinct, bearing 199 signatures (*Mr Perera*).

Petitions ordered to be tabled.

3 **PETITION — SHIRE OF MOUNT ALEXANDER COUNCILLORS** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.

4 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document in accordance with an Act of Parliament:

Planning and Environment Act 1987 — Notice of approval of an amendment to the Victoria Planning Provisions — VC 122.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 26 May 2015 (*Ms Allan*) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Statements by members were made.

7 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.

8 **REGIONAL DEVELOPMENT VICTORIA AMENDMENT (JOBS AND INFRASTRUCTURE) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

Business having been interrupted at 11.00 am under sessional orders.

9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

11 **APPROPRIATION (2015–2016) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Mental Health Amendment Bill 2015 without amendment.

13 **STATE TAXATION ACTS AMENDMENT BILL 2015** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 21 May 2015.

14 **APPROPRIATION (2015–2016) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 May 2015 had expired.

- 15 **CRIMES AMENDMENT (REPEAL OF SECTION 19A) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **JUSTICE LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **SENTENCING AMENDMENT (CORRECTION OF SENTENCING ERROR) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **REGIONAL DEVELOPMENT VICTORIA AMENDMENT (JOBS AND INFRASTRUCTURE) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

- 19 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.36 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 19, 20 and 21

No 19 — Tuesday 26 May 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **NATIONAL SORRY DAY** — By leave, members made statements acknowledging National Sorry Day.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 5 **DELIVERING VICTORIAN INFRASTRUCTURE (PORT OF MELBOURNE LEASE TRANSACTION) BILL 2015** — Mr Pallas obtained leave to bring in a Bill '*for an Act to authorise and facilitate the leasing of land in the port of Melbourne and disposal of assets of the Port of Melbourne Corporation to a private sector entity, to establish the Victorian Transport Fund, to make related amendments to the **Transport Integration Act 2010**, the **Port Management Act 1995**, the **Marine Safety Act 2010**, the **Essential Services Commission Act 2001** and consequential amendments to other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **JUDICIAL ENTITLEMENTS BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to modernise the processes and structures for determining salaries, allowances and conditions of service for judicial officers, to repeal the **Judicial Salaries Act 2004** and the **Judicial Remuneration Tribunal Act 1995**, to make consequential and miscellaneous amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PLANNING AND ENVIRONMENT AMENDMENT (RECOGNISING OBJECTORS) BILL 2015** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Planning and Environment Act 1987** to provide for the Victorian Civil and Administrative Tribunal and responsible authorities to have regard to the number of objectors to permit applications in considering whether a proposed use or development may have a significant social effect and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **VICTORIA POLICE AMENDMENT (VALIDATION) BILL 2015** — Mr Noonan obtained leave to bring in a Bill '*for an Act to amend the **Victoria Police Act 2013** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (RESTRICTIONS ON THE MAKING OF PROTECTION ORDERS) BILL 2015** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the **Children, Youth and Families Amendment (Permanent Care and Other Matters) Act 2014** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 DOCUMENTS

VICTORIAN LAW REFORM COMMISSION — Report on Photographing and Filming Tenants' Possessions for Advertising Purposes tabled by leave (*Mr Pakula*).

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 5 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2015–2016) Bill 2015
 Appropriation (Parliament 2015–2016) Bill 2015
 Court Services Victoria and Other Acts Amendment Bill 2015
 State Taxation Acts Amendment Bill 2015
 Wrongs Amendment (Prisoner Related Compensation) Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

Supreme Court of Victoria — Report 2013–14

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Commissioner for Environmental Sustainability Act 2003 — Government response to the State of the Environment Report 2013

Crown Land (Reserves) Act 1978:

Order under s 17B and s 17D granting a licence and a lease over Albert Park Reserve
 Order under s 17D granting a lease over National Rhododendron Gardens Reserve

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Mount Baw Baw Alpine Resort Management Board — Report year ended 31 October 2014

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — C103
 Boroondara — C205, C211
 Brimbank — C156, C171 Part 1
 Buloke — C18
 Darebin — C122, C127
 Frankston — C101, C107
 Glen Eira — C138
 Greater Bendigo — C210
 Greater Dandenong — C185
 Greater Geelong — C297

Hume — C150
 Latrobe — C83
 Mildura — C81
 Mitchell — C91 Part 1
 Moonee Valley — C142
 Mornington Peninsula — C151
 Nillumbik — C94
 Stonnington — C208 Part 1, C209
 Wangaratta — C45
 Whitehorse — C171
 Whittlesea — C153, C174, C189, C190
 Wyndham — C208
 Yarra — C138
 Yarra Ranges — C136

Statutory Rules under the following Acts:

Civil Procedure Act 2010 — SR 29
County Court Act 1958 — SRs 34, 35
Magistrates' Court Act 1989 — SR 32
Planning and Environment Act 1987 — SR 33
Supreme Court Act 1986 — SRs 29, 30
Transfer of Land Act 1958 — SR 36
Victorian Civil and Administrative Tribunal Act 1998 — SR 37
Wrongs Act 1958 — SR 31

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 29, 30, 31, 32, 34, 35, 36, 37

Documents under s 16B in relation to:

Transport (Compliance and Miscellaneous) Act 1983 — New Taxi-cab Licences: Notification of Annual Licence Fees to apply from 1 July 2015

Cemeteries and Crematoria Act 2003:

Southern Metropolitan Cemetery Trust Scale of Fees and Charges effective as of 30 April 2015

Southern Metropolitan Cemetery Trust Scale of Fees and Charges effective as of 5 May 2015.

- 11 **STATUTE LAW REVISION BILL 2014** — The Deputy Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to revise the statute law of Victoria*'.

On the motion of Ms Allan, the Bill was read a first time and ordered to be read a second time tomorrow.

- 12 **PRESENTATION OF ADDRESS-IN-REPLY TO SPEECH OF THE GOVERNOR** — The Deputy Speaker reported that the Speaker had, on 19 May 2015, presented to the Governor the Address of the Legislative Assembly in reply to his Speech on the Opening of Parliament.

The Governor was pleased to make the following Reply:

Speaker and Members of the Legislative Assembly:

In the name and on behalf of the Her Majesty The Queen I thank you for your expressions of loyalty to our Most Gracious Sovereign contained in the address you have just presented to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration, and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.

ALEX CHERNOV
Governor of Victoria

Melbourne 19 May 2015.

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 12 May 2015, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Domestic Animals Amendment Bill 2015
Jury Directions Bill 2015
Mental Health Amendment Bill 2015
National Parks Amendment (Prohibiting Cattle Grazing) Bill 2015.

- 14 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Court Services Victoria and Other Acts Amendment Bill 2015
State Taxation Acts Amendment Bill 2015.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 28 May 2015:

Appropriation (2015–2016) Bill 2015
Appropriation (Parliament 2015–2016) Bill 2015
Court Services Victoria and Other Acts Amendment Bill 2015
State Taxation Acts Amendment Bill 2015
Wrongs Amendment (Prisoner Related Compensation) Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 17 **COURT SERVICES VICTORIA AND OTHER ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **WRONGS AMENDMENT (PRISONER RELATED COMPENSATION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **STATE TAXATION ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Richardson, Northcote*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

20 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 4 be postponed until later this day.

21 **APROPRIATION (PARLIAMENT 2015–2016) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.34 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 20 — Wednesday 27 May 2015

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Mornington Peninsula Bus Service — Requesting that the Legislative Assembly works with the Mornington Peninsula Shire to ensure the PenBus service will continue on an ongoing basis as part of the public transport infrastructure for the Mornington Peninsula, bearing 103 signatures (*Mr Dixon*)

Funding for Mornington Peninsula Freeway — Requesting that the Legislative Assembly urgently approves funding for the Jetty Road overpass in order to relieve the congestion on local roads at the current terminus of the Mornington Peninsula Freeway, in accordance with the VicRoads Point Nepean Road study, bearing 282 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

3 **PETITION — MORNINGTON PENINSULA BUS SERVICE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

4 **PETITION — FUNDING FOR MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented from the Public Accounts and Estimates Committee, the 2015–16 Budget Estimates Hearings Alert Report, together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Early Intervention Services for Vulnerable Children and Families — Ordered to be published

Universities: 2014 Audit Snapshot — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C215

Brimbank — GC26

Casey — C193 Part 2

Corangamite — C40

Greater Geelong — C266 Part 2, C309

Greater Shepparton — C171

Hindmarsh — C15

Hobsons Bay — C93

Maribyrnong — C136, GC26

Melbourne — GC26

Melton — GC26

Moonee Valley — C139

Mornington Peninsula — C184 Part 1

Mount Alexander — C72

Nillumbik — C105

Stonnington — C204

Warrnambool — C199

Whitehorse — C159, C173

Wyndham — GC26

Yarra Ranges — C133.

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Regional Development Victoria Amendment (Jobs and Infrastructure) Bill 2015 without amendment.

7 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow each member to speak on the motion in relation to the 2015–16 budget papers for a maximum of 15 minutes (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE** — The Acting Speaker announced that the Speaker had received the resignation of Mr Battin from the Environment, Natural Resources and Regional Development Committee, effective from today.

10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearings Alert Report.

11 **DELIVERING VICTORIAN INFRASTRUCTURE (PORT OF MELBOURNE LEASE TRANSACTION) BILL 2015** — *Mr Pallas* tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 24 June 2015.

- 12 **JUDICIAL ENTITLEMENTS BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 9 June 2015.

- 13 **PLANNING AND ENVIRONMENT AMENDMENT (RECOGNISING OBJECTORS) BILL 2015** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 9 June 2015.

- 14 **VICTORIA POLICE AMENDMENT (VALIDATION) BILL 2015** — *Mr Noonan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Noonan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 9 June 2015.

- 15 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (RESTRICTIONS ON THE MAKING OF PROTECTION ORDERS) BILL 2015** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 9 June 2015.

- 16 **STATUTE LAW REVISION BILL 2014** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 9 June 2015.

Business having been interrupted at 11.00 am under sessional orders.

17 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

18 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

19 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — EDUCATION FUNDING** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the former Coalition Government and the current Federal Government for failing Victorian students and families, noting that:

- (a) the current Federal Government has walked away from years five and six of the Gonski Agreement, slashing \$1 billion from education funding to Victoria for 2018 and 2019;
- (b) the former Coalition Government failed to fund the Gonski Agreement in 2014, 2015, 2016 and 2017, leaving a black hole of over \$850 million; and
- (c) the former Coalition Government decreased annual funding to TAFE by 36 per cent, or \$265 million, over the past four years.'

Mr Merlino addressed the House — Discussion followed.

20 **APPROPRIATION (PARLIAMENT 2015–2016) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

21 **APPROPRIATION (2015–2016) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.34 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 21 — Thursday 28 May 2015

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Certificates for Babies Born Prior to 20 Weeks Gestation — Requesting that the Legislative Assembly immediately takes the necessary steps to have the government formally acknowledge babies born less than 20 weeks gestation, by providing the bereaved families with the opportunity to receive a certificate through the Office of Births, Deaths and Marriages, bearing 397 signatures (*Mr Nardella*)

Funding for Mornington Peninsula Freeway — Requesting that the Legislative Assembly urgently approves funding for the Jetty Road overpass in order to relieve the congestion on local roads at the current terminus of the Mornington Peninsula Freeway, in accordance with the VicRoads Point Nepean Road study, bearing 140 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 3 **PETITION — FUNDING FOR MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

4 **DOCUMENTS**

GOVERNMENT RESPONSE TO THE COMMUNITY VISITORS REPORT 2013–14 — Tabled by leave (*Mr Foley*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Technical and Further Education Institutes: 2014 Audit Snapshot — Ordered to be published
Victoria's Consumer Protection Framework for Building Construction — Ordered to be published

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return May 2015 and Summary of Variations Notified between 18 February 2015 and 22 May 2015 — Ordered to be published.

- 5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 9 June 2015 (*Ms Allan*) — put and agreed to.

- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 7 **HEALTH FUNDING** — Motion made and question proposed — That this House condemns the Prime Minister and the Federal Health Minister for their \$17.7 billion in savage cuts to Victoria's hospitals over the next decade, and for other measures that will disadvantage Victorians including dental, preventative health, indigenous, medical research programs and investments (*Ms Hennessy*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 10 **HEALTH FUNDING** — Debate continued on question — That this House condemns the Prime Minister and the Federal Health Minister for their \$17.7 billion in savage cuts to Victoria's hospitals over the next decade, and for other measures that will disadvantage Victorians including dental, preventative health, indigenous, medical research programs and investments — put and agreed to.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Amendment (Repeal of Section 19A) Bill 2015 without amendment.

12 **APPROPRIATION (2015–2016) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

13 **ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE** — Motion made, by leave, and question — That Mr Tilley be appointed a member of the Environment, Natural Resources and Regional Development Committee (*Ms Allan*) — put and agreed to.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Sentencing Amendment (Correction of Sentencing Error) Bill 2015 without amendment.

15 **APPROPRIATION (2015–2016) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 26 May 2015 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

16 **APPROPRIATION (PARLIAMENT 2015–2016) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

17 **STATE TAXATION ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

18 **COURT SERVICES VICTORIA AND OTHER ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

19 **WRONGS AMENDMENT (PRISONER RELATED COMPENSATION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 78

Ms Allan; Mr Andrews; Mr Angus; Mr Battin; Ms Blandthorn; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Pesutto; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.07 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.48 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 22, 23, 24 and 25

No 22 — Tuesday 9 June 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF THE HONOURABLE JOAN ELIZABETH KIRNER, AC** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Joan Elizabeth Kirner, AC, and places on record its acknowledgement of the valuable services rendered by her to the Parliament and the people of Victoria as Member of the Legislative Council for the Electoral Province of Melbourne West from 1982 to 1988 and as Member of the Legislative Assembly for the Electoral District of Williamstown from 1988 to 1994, Deputy Premier from 1989 to 1990, Premier from 1990 to 1992, Minister for Women's Affairs from 1990 to 1992, Minister for Conservation, Forests and Lands from 1985 to 1988, Minister for Education from 1988 to 1990, and Minister for Ethnic Affairs from 1990 to 1991 (*Mr Andrews*) — put, after the Speaker and other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** — Motion made, by leave, and question — That, as a further mark of respect to the memory of the late Honourable Joan Elizabeth Kirner, AC, the House now adjourns until tomorrow (*Mr Andrews*) — put and agreed to.

And the House, at 4.59 pm, adjourned until tomorrow at 9.30 am.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 23 — Wednesday 10 June 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF THE HONOURABLE JOHN HAMILTON SIMPSON** — Motion made, by leave, and question — That this House expresses its sincere sorrow at the death of the Honourable John Hamilton Simpson and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Niddrie from 1976 to 1988, Minister of Public Works from 1982 to 1983, Minister of Property and Services from 1982 to 1985, and Assistant Minister of Transport and Minister of Labour and Industry from 1983 to 1985 (*Mr Andrews*) — put, after the Speaker and other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.

- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Honourable John Hamilton Simpson, the House now adjourns for one hour (*Mr Andrews*) — put and agreed to.

And the House, at 10.20 am, adjourned until 11.20 am.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 24 — Wednesday 10 June 2015 (11.20 AM)

- 1 The House met according to the adjournment.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **ENERGY LEGISLATION AMENDMENT (PUBLICATION OF RETAIL OFFERS) BILL 2015** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to amend the **Electricity Industry Act 2000** and the **Gas Industry Act 2001** and for other purposes*'; and, after debate, the Bill was read a first time and, by leave, ordered to be read a second time later this day.
- 5 **ASSOCIATIONS INCORPORATION REFORM AMENDMENT (ELECTRONIC TRANSACTIONS) BILL 2015** — Ms Garrett obtained leave to bring in a Bill '*for an Act to amend the **Associations Incorporation Reform Act 2012** to facilitate the making of applications and other transactions under that Act through the use of electronic (digital and online) media, to reduce the reporting requirements of smaller associations and for other purposes*'; and, after debate, the Bill was read a first time and, by leave, ordered to be read a second time later this day.
- 6 **ROAD SAFETY AMENDMENT (PRIVATE CAR PARKS) BILL 2015** — Ms Garrett obtained leave to bring in a Bill '*for an Act to amend the **Road Safety Act 1986** to abrogate any entitlement to a preliminary discovery order against the Corporation for the purpose of the recovery of private car park fees and for other purposes*'; and, after debate, the Bill was read a first time and, by leave, ordered to be read a second time later this day.
- 7 **PLANNING AND ENVIRONMENT AMENDMENT (INFRASTRUCTURE CONTRIBUTIONS) BILL 2015** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Planning and Environment Act 1987** to provide for a new system for levying and collecting contributions towards the provision of infrastructure and to make a related amendment to the **Subdivision Act 1988** and for other purposes*'; and, after debate, the Bill was read a first time and, by leave, ordered to be read a second time later this day.
- 8 **ADOPTION AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Adoption Act 1984** by repealing provisions relating to contact statements and for other purposes*'; and, after debate, the Bill was read a first time and, by leave, ordered to be read a second time later this day.

9 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Bus Route 40 in Grovedale — Requesting that the Legislative Assembly calls on the Premier to change the proposed bus route 40 back to the previous route travelled by the bus route 20 along Pioneer Road between Burdoo Drive and Surf Coast Highway, bearing 198 signatures (*Mr Katos*)

Changes to Bus Route 40 in Grovedale — Requesting that the Legislative Assembly calls on the Government to change the Grovedale bus route 40 to remove buses from Burleigh Drive, Hansen Drive and Perrett Street, Grovedale, bearing 86 signatures (*Mr Katos*)

Funding for Mornington Peninsula Freeway — Requesting that the Legislative Assembly urgently approves funding for the Jetty Road overpass in order to relieve the congestion on local roads at the current terminus of the Mornington Peninsula Freeway, in accordance with the VicRoads Point Nepean Road study, bearing 354 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

10 **PETITION — BUS ROUTE 40 IN GROVEDALE** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Smith, Warrantdyte*) — put and agreed to.

11 **PETITION — CHANGES TO BUS ROUTE 40 IN GROVEDALE** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Smith, Warrantdyte*) — put and agreed to.

12 **PETITION — FUNDING FOR MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

13 **DOCUMENTS**

HEALTH PRACTITIONER REGULATION NATIONAL LAW AMENDMENT (MIDWIFE INSURANCE EXEMPTION) REGULATION 2015 — No 45/2015 tabled by leave (*Ms Hennessy*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2014, together with appendices tabled by leave (*Ms Blandthorn*).

Ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the appointment of a person to conduct the financial audit of the Victorian Auditor-General's Office under s 17 of the *Audit Act 1994*, together with appendices.

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 6 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Alcoa (Portland Aluminium Smelter) (Amendment) Act Amendment Bill 2015

Children, Youth and Families Amendment (Restrictions on the Making of Protection Orders) Bill 2015

Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015

Judicial Entitlements Bill 2015

Justice Legislation Amendment Bill 2015

Planning and Environment Amendment (Recognising Objectors) Bill 2015

Victoria Police Amendment (Validation) Bill 2015
 Wrongs Amendment (Prisoner Related Compensation) Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Delivering Services to Citizens and Consumers via Devices of Personal Choice: Phase 1 — Interim Report — Ordered to be published
 Operational Effectiveness of the myki Ticketing System — Ordered to be published

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Sandringham Beach Reserve
 Orders under s 17D granting leases over:
 Brighton Beach Oval
 Cheltenham Park
 Sandringham Beach Park
 Wunghnu Public Park and Recreation Reserve

Ombudsman — Investigation into allegations of improper conduct by officers of VicRoads — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C164
 Banyule — C93
 Cardinia — C184
 Glen Eira — C107, C131
 Greater Geelong — C306
 Indigo — C70
 Kingston — C146
 Macedon Ranges — C108
 Melbourne — C227
 Port Phillip — C104
 Warrnambool — C73 Part 1
 Wyndham — C192, C214
 Yarra — C189

Statutory Rules under the following Acts:

Constitution Act 1975 — SR 39
Criminal Procedure Act 2009 — SR 40
Magistrates' Court Act 1989 — SR 41
Supreme Court Act 1986 — SRs 38, 39, 40

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 38, 39, 40, 41.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Credit (Commonwealth Powers) Act 2010 — Division 15 of Part 3 — 1 June 2015 (*Gazette S122, 26 May 2015*)

Education and Training Reform Amendment (Funding of Non-Government Schools) Act 2015 — Whole Act — 1 July 2015 (*Gazette S133, 2 June 2015*)

Gambling Regulation Amendment (Pre-commitment) Act 2014 — Sections 32, 33 and 34 — 20 June 2015 (*Gazette S133, 2 June 2015*)

Gambling and Liquor Legislation Further Amendment Act 2014 — Sections 3, 5, 8, 25, 26, 27, 28, 29, 30, 31, 35 and 36 — 20 June 2015; s 42 — 1 July 2015 (*Gazette S133, 2 June 2015*).

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 15 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 2 June 2015, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Crimes Amendment (Repeal of Section 19A) Bill 2015

Regional Development Victoria Amendment (Jobs and Infrastructure) Bill 2015

Sentencing Amendment (Correction of Sentencing Error) Bill 2015.

- 16 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015

Judicial Entitlements Bill 2015.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 11 June 2015:

Children, Youth and Families Amendment (Restrictions on the Making of Protection Orders) Bill 2015

Judicial Entitlements Bill 2015

Planning and Environment Amendment (Recognising Objectors) Bill 2015

Statute Law Revision Bill 2014

Victoria Police Amendment (Validation) Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 19 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearings Alert Report

Public Accounts and Estimates Committee's Report on the appointment of a person to conduct the financial audit of the Victorian Auditor-General's Office under s 17 of the *Audit Act 1994*.

- 20 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 21 **ENERGY LEGISLATION AMENDMENT (PUBLICATION OF RETAIL OFFERS) BILL 2015** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Motion made and question — That the debate be adjourned until Tuesday 23 June 2015 (*Ms D'Ambrosio*) — after debate, put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 44

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 22 **ASSOCIATIONS INCORPORATION REFORM AMENDMENT (ELECTRONIC TRANSACTIONS) BILL 2015** — *Ms Garrett tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Garrett*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Northe*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 24 June 2015.

- 23 **ROAD SAFETY AMENDMENT (PRIVATE CAR PARKS) BILL 2015** — *Ms Garrett tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Garrett*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Northe*) — put and agreed to.

Motion made and question — That the debate be adjourned until Tuesday 23 June 2015 (*Ms Garrett*) — put, after debate, and agreed to.

- 24 **PLANNING AND ENVIRONMENT AMENDMENT (INFRASTRUCTURE CONTRIBUTIONS) BILL 2015** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Motion made and question — That the debate be adjourned until Tuesday 23 June 2015 (*Mr Wynne*) — after debate, put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 44

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 25 **ADOPTION AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 24 June 2015.

- 26 **JUDICIAL ENTITLEMENTS BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 27 **JUSTICE LEGISLATION AMENDMENT BILL 2015** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 28 **PLANNING AND ENVIRONMENT AMENDMENT (RECOGNISING OBJECTORS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 29 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.29 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 25 — Thursday 11 June 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **ACTING SPEAKER** — The following warrant appointing an Acting Speaker was tabled by the Speaker:

VICTORIA LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Frank McGuire to preside as Acting Speaker whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrant of 11 February 2015.

Given under my hand on 11 June 2015.

Telmo Languiller MP
SPEAKER.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Additional Police Officers** — Requesting that the Legislative Assembly calls on the Premier to commit to providing additional police officers for our community, bearing 400 signatures (*Mr Paynter*)
- Western Highway Duplication Project** — Requesting that the Legislative Assembly defers the Western Highway Duplication Project in order to consider more efficient routes and plans, bearing 200 signatures (*Ms Knight*).

Petitions ordered to be tabled.

- 4 **PETITION — ADDITIONAL POLICE OFFICERS** — Motion made and question — That the petition presented by the Member for Bass be taken into consideration tomorrow (*Mr Paynter*) — put and agreed to.

5 DOCUMENTS

CHIEF VETERINARY OFFICER'S INVESTIGATION INTO ANIMAL WELFARE AND CRUELTY IN THE VICTORIAN GREYHOUND INDUSTRY — Report tabled by leave (*Ms Allan*).

RACING INTEGRITY COMMISSIONER'S 2015 OWN MOTION INQUIRY INTO LIVE BAITING IN GREYHOUND RACING IN VICTORIA — Report tabled by leave (*Mr Pakula*).

Ordered to be published.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following documents in accordance with an Act of Parliament:

Statutory Rules under the following Acts:

Meat Industry Act 1993 — SR 42

Survey Co-ordination Act 1958 — SR 44

Surveying Act 2004 — SR 43

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 42, 43, 44.

6 FINANCIAL AUDIT OF THE VICTORIAN AUDITOR-GENERAL'S OFFICE — Motion made, by leave, and question — That:

(1) Under s 17 of the *Audit Act 1994* Mr Steven Bradby of PKF Melbourne Audit & Assurance in Melbourne be appointed for a period of one year:

(a) to conduct the financial audit of the Victorian Auditor-General's Office for the financial year ended 30 June 2015;

(b) in accordance with the terms and conditions and remuneration of a person appointed by the Parliament of Victoria pursuant to s 17 of the *Audit Act 1994*, in Appendix One of the Public Accounts and Estimates Committee's Report on the appointment of a person to conduct the financial audit of the Victorian Auditor-General's Office under s 17 of the *Audit Act 1994* (Parliamentary Paper No 45, Session 2014–15); and

(c) at a fixed fee level of remuneration of \$34,500 (plus GST) for audit services for the year ended 30 June 2015.

(2) A message be sent to the Legislative Council requesting their agreement —

(*Ms Allan*) — put and agreed to.

7 SITTING OF THE HOUSE — Motion made and question — That the House, at its rising, adjourns until Tuesday 23 June 2015 (*Ms Allan*) — put and agreed to.**8 STATEMENTS BY MEMBERS** — Statements by members were made.**9 BUDGET PAPERS** — Motion made and question proposed — That this House takes note of the 2015–16 budget papers (*Ms Allan*).

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **PLANNING AND ENVIRONMENT AMENDMENT (RECOGNISING OBJECTORS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 13 **PLANNING AND ENVIRONMENT AMENDMENT (RECOGNISING OBJECTORS) BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the appointment of Mr Steven Bradby of PKF Melbourne Audit & Assurance in Melbourne, to conduct the financial audit of the Victorian Auditor-General's Office.

- 15 **VICTORIA POLICE AMENDMENT (VALIDATION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (RESTRICTIONS ON THE MAKING OF PROTECTION ORDERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Wrongs Amendment (Prisoner Related Compensation) Bill 2015 without amendment.

- 18 **STATUTE LAW REVISION BILL 2014** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 10 June 2015 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Message sent to the Legislative Council informing them that the Bill has been agreed to without amendment.

- 19 **JUDICIAL ENTITLEMENTS BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 20 **PLANNING AND ENVIRONMENT AMENDMENT (RECOGNISING OBJECTORS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **VICTORIA POLICE AMENDMENT (VALIDATION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (RESTRICTIONS ON THE MAKING OF PROTECTION ORDERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphthine; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.10 pm under sessional orders.

- 23 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.43 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 26, 27 and 28

No 26 — Tuesday 23 June 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF GEORGE SEITZ** — The Speaker announced the death of George Seitz, Member of the Legislative Assembly for the Electoral District of Keilor from 1982 to 2010; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 5 **INFRASTRUCTURE VICTORIA BILL 2015** — Ms Allan obtained leave to bring in a Bill *'for an Act to establish Infrastructure Victoria to provide independent and expert advice about Victoria's infrastructure needs and priorities, to establish a new strategic infrastructure planning process and to amend the Public Administration Act 2004 and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995 consequential on certain amendments made to the Classification (Publications, Films and Computer Games) Act 1995 of the Commonwealth and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (ENVIRONMENTAL UPGRADE AGREEMENTS) BILL 2015** — Ms D'Ambrosio obtained leave to bring in a Bill *'for an Act to amend the Local Government Act 1989 to enable Councils, including the City of Melbourne, to enter into environmental upgrade agreements and to consequentially amend the City of Melbourne Act 2001 and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **ROAD SAFETY AMENDMENT BILL 2015** — Mr Noonan obtained leave to bring in a Bill *'for an Act to amend the Road Safety Act 1986 to provide for the taking of a blood sample of a driver or the person in charge of a motor vehicle that is involved in an accident that has resulted in serious injury or death and to make other amendments to clarify the operation of that Act and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **CORRECTIONS LEGISLATION AMENDMENT BILL 2015** — Mr Noonan obtained leave to bring in a Bill *'for an Act to amend the Corrections Act 1986 and the Parole Orders (Transfer) Act 1983 and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Speed Limit on Sharkeys Road in Rosebrook — Requesting that the Legislative Assembly calls on VicRoads to reduce the gazetted speed limit from the current 80km/h to 60km/h, when entering the Princes Highway via Sharkeys Road in Rosebrook, bearing 28 signatures (*Dr Napthine*).

Ordered to be tabled.

11 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 7 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Adoption Amendment Bill 2015
 Associations Incorporation Reform Amendment (Electronic Transactions) Bill 2015
 Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015
 Energy Legislation Amendment (Publication of Retail Offers) Bill 2015
 Justice Legislation Amendment Bill 2015
 Planning and Environment Amendment (Infrastructure Contributions) Bill 2015
 Road Safety Amendment (Private Car Parks) Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Albert Park Reserve

Melbourne City Link Act 1995:

City Link and Extension Projects Integration and Facilitation Agreement Twenty-third Amending Deed
 Exhibition Street Extension Sixteenth Amending Deed
 Melbourne City Link Thirty-fourth Amending Deed

Parliamentary Committees Act 2003 — Government response to the Accountability and Oversight Committee's Report on Victorian Oversight Agencies

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Casey — C143, C148
 Hobsons Bay — C105
 Knox — C134
 Victoria Planning Provisions — VC125
 Warrnambool — C98
 Yarra Ranges — C131

Statutory Rules under the following Acts:

Associations Incorporation Reform Act 2012 — SR 46
Crime Statistics Act 2014 — SR 48
Local Government Act 1989 — SR 47
Subordinate Legislation Act 1994 — SR 50
Transport (Compliance and Miscellaneous) Act 1983 — SR 49

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 46, 48, 49, 50
 Documents under s 16B in relation to:

Education and Training Reform Act 2006 — Ministerial Order No 843
Prevention of Cruelty to Animals Act 1986 — Order making declaration under s 12B
Road Safety Act 1986 — Declaration of Approved Seatbelts.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Legal Profession Uniform Law Application Act 2014 — Remaining provisions — 1 July 2015 — (*Gazette S151, 16 June 2015*)
Veterans and Other Acts Amendment Act 2015 — Remaining provisions — 15 June 2015 (*Gazette S144, 9 June 2015*).

- 12 **MESSAGE FROM THE ADMINISTRATOR AS THE GOVERNOR'S DEPUTY — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 16 June 2015, given the royal assent to the following bills, presented to him by the Acting Clerk of the Legislative Council for and in the absence of the Clerk of the Parliaments:

Justice Legislation Amendment Bill 2015
 Statute Law Revision Bill 2014
 Wrongs Amendment (Prisoner Related Compensation) Bill 2015.

- 13 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Planning and Environment Amendment (Infrastructure Contributions) Bill 2015.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 25 June 2015:

Adoption Amendment Bill 2015
 Associations Incorporation Reform Amendment (Electronic Transactions) Bill 2015
 Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015
 Energy Legislation Amendment (Publication of Retail Offers) Bill 2015
 Planning and Environment Amendment (Infrastructure Contributions) Bill 2015
 Road Safety Amendment (Private Car Parks) Bill 2015

(*Ms Allan*) — after debate, put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 42

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphthine; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 15 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 16 **ENERGY LEGISLATION AMENDMENT (PUBLICATION OF RETAIL OFFERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 17 **ROAD SAFETY AMENDMENT (PRIVATE CAR PARKS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Garrett*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 18 **PLANNING AND ENVIRONMENT AMENDMENT (INFRASTRUCTURE CONTRIBUTIONS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 19 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2015–16 budget papers; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.44 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 27 — Wednesday 24 June 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Additional Frontline Police Officers** — Requesting that the Legislative Assembly calls on the Premier to commit to providing additional frontline police officers, bearing 104 signatures (*Mr Burgess*)
- Roundabout Installation in Pearcedale** — Requesting that the Legislative Assembly requests the Government begin the process of installing a roundabout at the intersection of Robinsons Road and Western Port Highway in Pearcedale, bearing 205 signatures (*Mr Burgess*)

Mobile and Internet Services For Tyabb — Requesting that the Legislative Assembly requests that the locality of Tyabb receive an immediate communications upgrade to provide mobile phone services, mobile internet services and ADSL services, bearing 9 signatures (*Mr Burgess*)

Keysborough South Primary School — Requesting that the Legislative Assembly urges the Government to provide a funding commitment for the purchase of land for, and construction of, Keysborough South Primary School, bearing 1084 signatures (*Mr Pakula*).

Petitions ordered to be tabled.

3 **PETITION — ADDITIONAL FRONTLINE POLICE OFFICERS** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Smith, Warrantdyte*) — put and agreed to.

4 **PETITION — ROUNDABOUT INSTALLATION IN PEARCEDALE** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Smith, Warrantdyte*) — put and agreed to.

5 **PETITION — MOBILE AND INTERNET SERVICES FOR TYABB** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Smith, Warrantdyte*) — put and agreed to.

6 DOCUMENTS

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Ms Halfpenny, Chair, presented an interim report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the CFA Training College at Fiskville.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Annual Plan 2015–16

Members of Parliament (Register of Interests) Act 1978 — Summary of Variations notified between 27 May 2015 and 22 June 2015 — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Education and Training Committee's Report on the Inquiry into Approaches to Homework in Victorian Schools.

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the State Taxation Acts Amendment Bill 2015 and suggesting amendments.

Ordered — That the suggested amendments be taken into consideration immediately.

8 **STATE TAXATION ACTS AMENDMENT BILL 2015** — Order read for the consideration of the amendments suggested by the Legislative Council.

On the motion of Mr Pallas and, after debate — suggested amendments made.

Bill returned to the Legislative Council with a message informing them accordingly.

9 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearings Alert Report

Environment, Natural Resources and Regional Development Committee's Interim Report on the Inquiry into the CFA Training College at Fiskville.

- 11 **INFRASTRUCTURE VICTORIA BILL 2015** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 July 2015.

- 12 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 July 2015.

- 13 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (ENVIRONMENTAL UPGRADE AGREEMENTS) BILL 2015** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 July 2015.

- 14 **ROAD SAFETY AMENDMENT BILL 2015** — *Mr Noonan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Noonan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 July 2015.

- 15 **CORRECTIONS LEGISLATION AMENDMENT BILL 2015** — *Mr Noonan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Noonan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 July 2015.

- 16 **ADOPTION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 17 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 18 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 19 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — INFRASTRUCTURE NEEDS FOR RURAL AND REGIONAL VICTORIA** — The House was informed that Mr Walsh had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Andrews Labor Government for its neglect of rural and regional Victoria in the 2015–16 budget and further notes that Labor's infrastructure agenda has almost no focus on areas outside of Melbourne.'

Mr Walsh addressed the House — Discussion followed.

- 20 **ADOPTION AMENDMENT BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **DELIVERING VICTORIAN INFRASTRUCTURE (PORT OF MELBOURNE LEASE TRANSACTION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.31 pm.

No 28 — Thursday 25 June 2015

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Raw Cows Milk Regulations — Requesting that the Legislative Assembly — (a) respects the evidence that raw milk can be a safe and nutritious product for consumers; and (b) develops regulations that allow for its production, packaging, transport and sale to consumers in Victoria, bearing 2020 signatures (*Ms McLeish*)

Transport Link for the Gippsland Region — Requesting that the Legislative Assembly directs the Government to adopt the Liberal–Nationals Coalition's plan to invest in major rail infrastructure projects and service improvements to deliver a better public transport link for the Gippsland region, bearing 248 signatures (*Mr Blackwood*).

Petitions ordered to be tabled.

3 **PETITION — RAW COWS MILK REGULATIONS** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

4 **DOCUMENTS**

DOCUMENTS AND THE PROVISION OF ADVICE IN RELATION TO THE DAREBIN CITY COUNCIL — Tabled by leave (*Ms Hutchins*).

Ordered to be published.

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

Children's Court of Victoria — Report 2013–14

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Charter of Human Rights and Responsibilities Act 2006 — Report 2014 on the operation of the Act — Ordered to be published

Multicultural Victoria Act 2011 — Victorian Government Report in Multicultural Affairs 2013–14

Ombudsman — Reporting and investigation of allegations of abuse in the disability sector: Phase 1 — the effectiveness of statutory oversight — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2012–13 Financial Performance Outcomes

Statutory Rules under the following Acts:

Audit Act 1994 — SR 63

Cemeteries and Crematoria Act 2003 — SR 59

Estate Agents Act 1980 — SR 54
Gambling Regulation Act 2003 — SR 55
Legal Profession Act 2004 — SR 51
Legal Profession Uniform Law Application Act 2014 — SRs 52, 53
Liquor Control Reform Act 1998 — SRs 56, 57, 58
Road Management Act 2004 — SR 61
Road Safety Act 1986 — SR 62
Subordinate Legislation Act 1994 — SR 60

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 51, 52, 53, 54, 56, 57, 58, 61, 62, 63

Surveillance Devices Act 1999 — Report 2013–14 under s 30L.

5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the State Taxation Acts Amendment Bill 2015 including the amendments made by the Legislative Assembly on the suggestion of the Legislative Council, without amendment.

6 **STATE TAXATION ACTS AMENDMENT BILL 2015** — The Speaker announced that he had received a report from the Clerk of the Parliaments that, under Joint Standing Order 6(1), he has made the following corrections in the Bill:

Clause 15 of the bill inserts new sections 3A to 3F into the *Duties Act 2000*. He has deleted the quotation mark and second full stop at the end of new section 3E. They are not required as the inserted text finishes at the end of new section 3F.

Clause 26 of the bill inserts new sections 3A to 3C into the *Land Tax Act 2005*. He has deleted the quotation mark and second full stop at the end of new section 3B. They are not required as the inserted text finishes at the end of new section 3C.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 4 August 2015 (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **ASSOCIATIONS INCORPORATION REFORM AMENDMENT (ELECTRONIC TRANSACTIONS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

12 **ASSOCIATIONS INCORPORATION REFORM AMENDMENT (ELECTRONIC TRANSACTIONS) BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Richardson, Northcote*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

13 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2015–16 budget papers; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 23 June 2015 had expired.

- 14 **DELIVERING VICTORIAN INFRASTRUCTURE (PORT OF MELBOURNE LEASE TRANSACTION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphthine; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **ADOPTION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **ENERGY LEGISLATION AMENDMENT (PUBLICATION OF RETAIL OFFERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **ROAD SAFETY AMENDMENT (PRIVATE CAR PARKS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **PLANNING AND ENVIRONMENT AMENDMENT (INFRASTRUCTURE CONTRIBUTIONS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **ASSOCIATIONS INCORPORATION REFORM AMENDMENT (ELECTRONIC TRANSACTIONS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.09 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.37 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 29, 30 and 31

No 29 — Tuesday 4 August 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **RESOURCES LEGISLATION AMENDMENT BILL 2015** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to amend the **Mineral Resources (Sustainable Development) Amendment Act 2014**, the **Mineral Resources (Sustainable Development) Act 1990** and the **Resources Legislation Amendment (BTEX Prohibition and Other Matters) Act 2014** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **EMERGENCY MANAGEMENT (CONTROL OF RESPONSE ACTIVITIES AND OTHER MATTERS) BILL 2015** — Ms Garrett obtained leave to bring in a Bill '*for an Act to make miscellaneous amendments to the **Emergency Management Act 2013**, the **Victoria State Emergency Service Act 2005**, the **Country Fire Authority Act 1958**, the **Metropolitan Fire Brigades Act 1958** and various other Acts and for other matters*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **CRIMES AMENDMENT (CHILD PORNOGRAPHY AND OTHER MATTERS) BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Crimes Act 1958** in relation to child pornography offences, proceedings related to child pornography offences and warrants, to amend the **Criminal Procedure Act 2009** to restrict inspection by an accused of evidence that is child pornography, to make minor amendments to certain other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2015** — Mr Merlino obtained leave to bring in a Bill '*for an Act to amend the **Education and Training Reform Act 2006** to enhance the functions and powers of the Victorian Registration and Qualifications Authority and school councils in relation to schools and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **DOCUMENTS**
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2014, Regulations and Legislative Instruments, together with appendices tabled by leave (*Ms Blandthorn*).

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 8 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2015
Corrections Legislation Amendment Bill 2015
Infrastructure Victoria Bill 2015
Local Government Legislation Amendment (Environmental Upgrade Agreements) Bill 2015
Road Safety Amendment Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Gambling Regulation Act 2003 — Amendment to Category 1 Public Lottery Licence under s 5.3.19

Interpretation of Legislation Act 1984:

Notices under s 32(3)(a)(iii) in relation to:

Statutory Rules 94/2009 (*Gazette S181, 29 June 2015*), 42 (*Gazette S166, 23 June 2015*), 82 (*Gazette G27, 9 July 2015*)

Melbourne Cricket Ground Trust — Report year ended 31 March 2015

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Ballarat — C188
 Baw Baw — C110, C112
 Benalla — C30
 Brimbank — C134
 Cardinia — C185
 Casey — C115, C174, C203, C214
 Colac Otway — C85, GC27
 East Gippsland — C123
 Glen Eira — GC30
 Greater Bendigo — C130
 Greater Geelong — C307, C308, C312, GC27
 Greater Shepparton — C176
 Hume — C168
 Manningham — C106, C108
 Mansfield — C32
 Maroondah — C103
 Melbourne — C263
 Mildura — C90
 Moorabool — C6 Part 3, C62
 Mornington Peninsula — C188 Part 1
 Mount Alexander — C49
 Nillumbik — C93
 Stonnington — C186, GC30
 Surf Coast — C104
 Warrnambool — C90
 Wyndham — C141
 Yarra — C186, C187, C193
 Yarra Ranges — C129

Public Interest Monitor — Report 2014–15

Statutory Rules under the following Acts:

Building Act 1993 — SR 70

Court Security Act 1980 — SR 89

Domestic Animals Act 1994 — SR 64

Electricity Safety Act 1998 — SRs 67, 68
Emergency Management Act 2013 — SR 82
Guardianship and Administration Act 1986 — SR 81
Major Crime (Investigative Powers) Act 2004 — SR 65
Plant Biosecurity Act 2010 — SR 80
Port Management Act 1995 — SR 71
Regional Development Victoria Act 2002 — SR 83
Road Safety Act 1986 — SRs 78, 79, 84, 85, 86
Safe Drinking Water Act 2003 — SR 88
Sex Offenders Registration Act 2004 — SR 90
Subordinate Legislation Act 1994 — SRs 69, 77
Transport (Compliance and Miscellaneous) Act 1983 — SRs 72, 73, 74, 75
Transport (Safety Schemes Compliance and Enforcement) Act 2014 — SR 76
Victorian Civil and Administrative Tribunal Act 1998 — SR 66
Wrongs Act 1958 — SR 87

Subordinate Legislation Act 1994:

Documents under s 15 in relation to:

Legal Profession Uniform Regulations 2015
 Rail Safety National Law National Regulations (Fees) Variation Regulations 2015
 Rail Safety National Law National Regulations Variation Regulations 2015
 Statutory Rules 47, 55, 59, 60, 64, 65, 66, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83,
 84, 85, 86, 87, 88, 89, 90

Documents under s 16B in relation to:

Cemeteries and Crematoria Act 2003:

Greater Metropolitan Cemetery Trust Scale of Fees and Charges
 Southern Metropolitan Cemetery Trust Scale of Fees and Charges

Domestic Animals Act 1994:

Amendment of code of practice for the operation of breeding and rearing businesses 2014
 Order exempting certain breeding dogs from payment of Council registration fee and de-sexing requirements

Gambling Regulation Act 2003:

Determination of Gaming Machine Entitlement Allocation and Transfer Rules
Legal Profession Uniform Law Application Act 2014 — Legal Profession (Approved Clerks Trust Account) Rules 2015

Liquor Control Reform Act 1998 — Ministerial Order under s 66AC(1)

Livestock Disease Control Act 1994 — Notice of the fixing of fees

Transport (Compliance and Miscellaneous) Act 1983 — Determination of Fees

Wrongs Act 1958 — Notice under s 28LXA (*Gazette G25, 25 June 2015*).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Court Services Victoria and Other Acts Amendment Act 2015 — Whole Act — 30 June 2015 (*Gazette S183, 30 June 2015*)

Education and Training Reform Amendment (Child Safe Schools) Act 2015 — Remaining provisions (except ss 4(2), 5(1), 5(2) and 5(4)) — 1 July 2015 (*Gazette S183, 30 June 2015*)

Limitation of Actions Amendment (Child Abuse) Act 2015 — Whole Act — 1 July 2015 (*Gazette S183, 30 June 2015*)

Regional Development Victoria Amendment (Jobs and Infrastructure) Act 2015 — Whole Act (except s 18) — 1 July 2015 (*Gazette S183, 30 June 2015*).

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Appropriation (2015–2016) Bill 2015
 Appropriation (Parliament 2015–2016) Bill 2015
 Court Services Victoria and Other Acts Amendment Bill 2015.

- 10 **APPROPRIATION (2015–2016) BILL 2015 — APPROPRIATION (PARLIAMENT 2015–2016) BILL 2015** — The Speaker announced that, on 29 June 2015, he had presented to the Governor, the Appropriation (2015–2016) Bill 2015 and the Appropriation (Parliament 2015–2016) Bill 2015 to which the Governor gave the royal assent.

- 11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 29 June 2015, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Court Services Victoria and Other Acts Amendment Bill 2015
 State Taxation Acts Amendment Bill 2015.

- 12 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Corrections Legislation Amendment Bill 2015
 Infrastructure Victoria Bill 2015
 Road Safety Amendment Bill 2015.

- 13 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE AND ELECTORAL MATTERS COMMITTEE** — The Speaker announced that he had received the resignation of Mr Perera from the Economic, Education, Jobs and Skills Committee, effective from 25 June 2015 and Mr Dalidakis, MLC from the Electoral Matters Committee, effective from today.

- 14 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE** — Motion made, by leave, and question — That Mr Nardella be appointed a member of the Economic, Education, Jobs and Skills Committee (*Ms Allan*) — put and agreed to.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 6 August 2015:

Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2015
 Corrections Legislation Amendment Bill 2015
 Infrastructure Victoria Bill 2015
 Local Government Legislation Amendment (Environmental Upgrade Agreements) Bill 2015
 Road Safety Amendment Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 17 **INFRASTRUCTURE VICTORIA BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Under standing orders, Mr O'Brien (*Malvern*) announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.29 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 30 — Wednesday 5 August 2015

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Ballarat City Council Public Inquiry — Requesting that the Legislative Assembly instructs the Minister for Local Government to conduct a full and open public inquiry into the administration of the Ballarat City Council, bearing 888 signatures (*Mr Howard*)

Eltham Ambulance Station Funding — Requesting that the Eltham ambulance station be one of the nine ambulance stations to receive upgrade funding, bearing 547 signatures (*Ms Ward*)

Vermont Primary School — Requesting that the Legislative Assembly provides adequate funding to Vermont Primary School, bearing 372 signatures (*Mr Angus*)

Orchard Grove Primary School — Requesting that the Legislative Assembly provides adequate funding to Orchard Grove Primary School, bearing 478 signatures (*Mr Angus*)

Jetty Road Overpass Funding — Requesting that the Legislative Assembly, in accordance with VicRoads Point Nepean Road Study, approves funding for the Jetty Road overpass to relieve congestion at the current terminus of the Mornington Peninsula Freeway, bearing 137 signatures (*Mr Dixon*)

Port of Melbourne Development — Requesting that the Legislative Assembly — (a) immediately recommences funding the Port of Hastings Development Authority to continue with environmental studies for that site; (b) categorically rules out any further excavation, blasting, grinding or removal of rock to widen or deepen the shipping channel at Port Phillip Heads; and (c) places the current lease legislation on hold until Infrastructure Victoria determines the matter in accordance with commitments made by the Government prior to the election, bearing 92 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 3 **PETITION — BALLARAT CITY COUNCIL PUBLIC INQUIRY** — Motion made and question — That the petition presented by the Member for Buninyong be taken into consideration tomorrow (*Mr Howard*) — put and agreed to.
- 4 **PETITION — JETTY ROAD OVERPASS FUNDING** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 5 **PETITION — PORT OF MELBOURNE DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — VERMONT PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 7 **PETITION — ORCHARD GROVE PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Follow up of Collections Management in Cultural Agencies — Ordered to be published
 Follow up of Management of Staff Occupational Health and Safety in Schools — Ordered to be published
 Follow up of Managing Major Projects — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Macedon Ranges — C89
 Melbourne — C215, C240
 Nillumbik — C88

Statutory Rule under the *Dangerous Goods Act 1985* — SR 91

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 91.

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:
- Judicial Entitlements Bill 2015
 Planning and Environment Amendment (Recognising Objectors) Bill 2015
 Victoria Police Amendment (Validation) Bill 2015.

10 **STATEMENTS BY MEMBERS** — Statements by members were made.

11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearings Alert Report

Environment, Natural Resources and Regional Development Committee's Interim Report on the Inquiry into the CFA Training College at Fiskville.

12 **RESOURCES LEGISLATION AMENDMENT BILL 2015** — *Ms D'Ambrosio* tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 19 August 2015.

- 13 **EMERGENCY MANAGEMENT (CONTROL OF RESPONSE ACTIVITIES AND OTHER MATTERS) BILL 2015** — *Ms Garrett tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Garrett*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Battin*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 18 August 2015.

- 14 **CRIMES AMENDMENT (CHILD PORNOGRAPHY AND OTHER MATTERS) BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 18 August 2015.

- 15 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2015** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 19 August 2015.

- 16 **INFRASTRUCTURE VICTORIA BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 17 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 18 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 19 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — LEVEL CROSSINGS AND FUNDING TO REGIONAL VICTORIA** — The House was informed that Mr Pallas had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes that the Andrews Labor Government is working to remove 50 of the most dangerous and congested level crossings, increase funding to regional Victoria through the

Agriculture Infrastructure and Jobs Fund, and calls on the Opposition to support the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015.'

Mr Pallas addressed the House — Discussion followed.

- 20 **INFRASTRUCTURE VICTORIA BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (ENVIRONMENTAL UPGRADE AGREEMENTS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **ALCOA (PORTLAND ALUMINIUM SMELTER) (AMENDMENT) ACT AMENDMENT BILL 2015** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the Alcoa (Portland Aluminium Smelter) (Amendment) Act 1984 and for other purposes*'.

Motion made and question — That this Bill be now read a first time (*Ms Sandell*) — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Napthine; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 24 **ROAD SAFETY AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.29 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 31 — Thursday 6 August 2015

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Western Highway (Horsham) Bypass Planning Study — Requesting that the Legislative Assembly calls on the Government to include option 2 in the VicRoads Western Highway (Horsham) bypass planning study, bearing 40 signatures (*Ms Kealy*)

Jetty Road Overpass Funding — Requesting that the Legislative Assembly in accordance with VicRoads Point Nepean Road Study, approves funding for the Jetty Road overpass to relieve congestion at the current terminus of the Mornington Peninsula Freeway, bearing 446 signatures (*Mr Dixon*)

Port Phillip Planning Scheme — Requesting that the Legislative Assembly supports a change to Amendment C107 to the Port Phillip Planning Scheme to replace the proposed discretionary controls with mandatory height controls that set a maximum height limit of 30 metres for buildings fronting Queens Road and 45 metres for buildings fronting St Kilda Road within the block bounded to the north by Beatrice Street and to the south by Lorne Street Melbourne, bearing 325 signatures (*Mr Hibbins*).

Petitions ordered to be tabled.

- 3 **PETITION — JETTY ROAD OVERPASS FUNDING** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 4 **PETITION — WESTERN HIGHWAY (HORSHAM) BYPASS PLANNING STUDY** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

- 5 **DOCUMENT**

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE — Ms Edwards, Chair, presented an interim report from the Family and Community Development Committee on the Inquiry into Abuse in Disability Services, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 18 August 2015 (*Ms Allan*) — put and agreed to.

- 7 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 8 **SESSIONAL ORDERS** — Motion made and question — That the following changes to sessional orders be adopted, to come into operation from the beginning of the next sitting week:
- (1) Sessional order 17(3) be omitted and the following new sessional order 17(3) and (4) be inserted in its place —
- '(3) So much of Standing Order Nos 36, 38, 39 and 41 be suspended so as to enable the following order of business on:
- Wednesdays**
 Formal business
 Disallowance motions
 Statements by members
 Statements on parliamentary committee reports
 Government business
 Question time (11.00 am)
 Government business *continued*
 Matter of public importance *or* grievance debate (2.00 pm)
 Government business *continued*
 General business
- Thursdays (and Fridays)**
 Formal business
 Statements by members
 Government business
 Question time (11.00 am)
 Government business *continued*
 General business.
- (4) So much of Standing Order Nos 38 and 39 be suspended so as to enable:
- (a) at 2.00 pm on Wednesday, unless a division is taking place, the Chair interrupts the business before the House and the bells are then rung for one minute;
- (b) if a division is taking place at 2.00 pm:
- (i) it will be completed without interruption and result announced;
- (ii) if the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with;
- (iii) business is then interrupted following the procedure in sub-paragraph (a);
- (c) the Chair announces the grievance debate or matter of public of importance, whichever the case may be;
- (d) any business under discussion and not completed at the interruption will be resumed immediately at the end of the grievance debate or matter of public importance, whichever the case may be, and any member speaking at the time of the interruption may then continue his or her speech.'
- (2) In sessional order 17(4), omit '4' and insert '5' —

(*Ms Allan*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

11 **SESSIONAL ORDERS** — Debate continued on question — That the following changes to sessional orders be adopted, to come into operation from the beginning of the next sitting week:

(1) Sessional order 17(3) be omitted and the following new sessional order 17(3) and (4) be inserted in its place —

'(3) So much of Standing Order Nos 36, 38, 39 and 41 be suspended so as to enable the following order of business on:

Wednesdays

Formal business

Disallowance motions

Statements by members

Statements on parliamentary committee reports

Government business

Question time (11.00 am)

Government business *continued*

Matter of public importance *or* grievance debate (2.00 pm)

Government business *continued*

General business

Thursdays (and Fridays)

Formal business

Statements by members

Government business

Question time (11.00 am)

Government business *continued*

General business.

(4) So much of Standing Order Nos 38 and 39 be suspended so as to enable:

(a) at 2.00 pm on Wednesday, unless a division is taking place, the Chair interrupts the business before the House and the bells are then rung for one minute;

(b) if a division is taking place at 2.00 pm:

(i) it will be completed without interruption and result announced;

(ii) if the division is on a closure motion, and the motion is agreed to, the question or questions then required to be put to close the issue before the House will also be dealt with;

(iii) business is then interrupted following the procedure in sub-paragraph (a);

(c) the Chair announces the grievance debate or matter of public of importance, whichever the case may be;

- (d) any business under discussion and not completed at the interruption will be resumed immediately at the end of the grievance debate or matter of public importance, whichever the case may be, and any member speaking at the time of the interruption may then continue his or her speech.'

(2) In sessional order 17(4), omit '4' and insert '5' — put and agreed to.

12 **STANDING ORDERS COMMITTEE** — Motion made and question — That —

(1) A matter be referred to the Standing Orders Committee for consideration, inquiry and report including but not limited to:

(a) sitting hours and the operation of the House; and

(b) revising the standing orders to reflect the most recent changes to sessional orders including the removal of Dorothy Dixier questions, insertion of constituency questions and time limits.

(2) The Standing Orders Committee provide an interim report by 8 December 2015 and a final report by 30 June 2016 —

(Ms Allan) — put, after debate, and agreed to.

13 **ROAD SAFETY AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Ms Spence)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Energy Legislation Amendment (Publication of Retail Offers) Bill 2015 without amendment.

15 **CORRECTIONS LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 4 August 2015 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

16 **LOCAL GOVERNMENT LEGISLATION AMENDMENT (ENVIRONMENTAL UPGRADE AGREEMENTS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

17 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **INFRASTRUCTURE VICTORIA BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **ROAD SAFETY AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.30 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 32, 33 and 34

No 32 — Tuesday 18 August 2015

1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

4 **FIREARMS AMENDMENT (TRAFFICKING AND OTHER MEASURES) BILL 2015** — Mr Noonan obtained leave to bring in a Bill '*for an Act to amend the **Firearms Act 1996** to lower the number of unregistered firearms that is a traffickable quantity, provide higher penalties for the unlawful manufacturing of firearms and clarify the circumstances under which certain persons are taken to be in possession of a firearm, to amend the **Crimes Act 1958** to create a new offence of theft of a firearm and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **HEAVY VEHICLES LEGISLATION AMENDMENT BILL 2015** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the **Heavy Vehicle National Law Application Act 2013**, the **Road Safety Act 1986** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **RACING AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Racing Act 1958** in relation to governance arrangements for Harness Racing Victoria and to specify bodies to which the Racing Integrity Commissioner may disclose integrity related information and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2015** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to amend the **National Electricity (Victoria) Act 2005** to grant rights to the Minister and consumer or user groups to intervene in appeals against certain decisions and determinations made by the Australian Energy Regulator and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **DOCUMENT**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on Allegations made against the Auditor-General — terms of reference.

Ordered to be tabled and published.

9 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — Motion made, by leave, and question — That —

(1) the Public Accounts and Estimates Committee is requested to inquire into and report no later than 20 October 2015 on allegations made against the Auditor-General, Mr John Doyle, in a formal grievance dated 12 August 2015, by a member of his staff; and

- (a) whether, in light of any findings that the Committee may make in relation to the allegations, the Parliament should give consideration to the removal of the Auditor-General from office; and
- (b) the Committee is requested to conduct this inquiry having regard to the need to afford procedural fairness to all parties, and to protect the privacy of individuals;
- (2) a message be sent to the Legislative Council seeking their agreement —
- (*Ms Allan*) — put, after debate, and agreed to.

10 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 9 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Corrections Legislation Amendment Bill 2015
 Crimes Amendment (Child Pornography and Other Matters) Bill 2015
 Education and Training Reform Amendment (Miscellaneous) Bill 2015
 Emergency Management (Control of Response Activities and Other Matters) Bill 2015
 Resources Legislation Amendment Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Victoria Park Reserve

Occupational Health and Safety Act 2004 — Requests under s 11

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Alpine — C34, C50
 Ballarat — C182
 Banyule — C109
 Boroondara — GC32
 Brimbank — C174, C175
 Colac Otway — C73
 Darebin — C133 Part 1, GC32
 Glen Eira — C135
 Glenelg — C83
 Golden Plains — C71
 Greater Bendigo — C175
 Greater Dandenong — C192
 Greater Shepparton — C98 Part 1
 Hobsons Bay — GC32
 Maribyrnong — C131
 Moonee Valley — C143
 Stonnington — C208 Part 2
 Surf Coast — C101
 Yarra Ranges — C152

Statutory Rule under the *Subordinate Legislation Act 1994* — SR 92

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Racing Act 1958* — Amendment of Racing Victoria Bookmakers' Licence Levy Rules 2012

Surveillance Devices Act 1999 — Reports of the Victorian Inspectorate under s 30Q (five documents)

Surveyor-General — Report 2014–15 on the administration of the *Survey Co-ordination Act 1958*

Workplace Injury Rehabilitation and Compensation Act 2013 — Requests under s 595.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Children, Youth and Families Amendment (Restrictions on the Making of Protection Orders) Bill 2015 without amendment.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 11 August 2015, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Children, Youth and Families Amendment (Restrictions on the Making of Protection Orders) Bill 2015

Energy Legislation Amendment (Publication of Retail Offers) Bill 2015

Judicial Entitlements Bill 2015

Planning and Environment Amendment (Recognising Objectors) Bill 2015

Victoria Police Amendment (Validation) Bill 2015.

- 13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Education and Training Reform Amendment (Miscellaneous) Bill 2015

Emergency Management (Control of Response Activities and Other Matters) Bill 2015.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following items be considered and completed by 5.00 pm on Thursday 20 August 2015:

Crimes Amendment (Child Pornography and Other Matters) Bill 2015

Education and Training Reform Amendment (Miscellaneous) Bill 2015

Emergency Management (Control of Response Activities and Other Matters) Bill 2015

Motion in relation to the Budget Papers

Resources Legislation Amendment Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

- 15 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 16 **EMERGENCY MANAGEMENT (CONTROL OF RESPONSE ACTIVITIES AND OTHER MATTERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Informing the Legislative Assembly that they had agreed with the Assembly and resolved — the Public Accounts and Estimates Committee is requested to inquire into and report no later than 20 October 2015 on allegations made against the Auditor-General, Mr John Doyle, in a formal grievance dated 12 August 2015, by a member of his staff; and
- (a) whether, in light of any findings that the Committee may make in relation to the allegations, the Parliament should give consideration to the removal of the Auditor-General from office; and
 - (b) the Committee is requested to conduct this inquiry having regard to the need to afford procedural fairness to all parties, and to protect the privacy of individuals.
- 18 **CRIMES AMENDMENT (CHILD PORNOGRAPHY AND OTHER MATTERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 33 — Wednesday 19 August 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Calder Highway and Edwards Road Maiden Gully intersection** — Requesting that the Legislative Assembly — (a) reduces the speed limit to 80km/h 100 metres in both directions from the Calder Highway and Edwards Road Maiden Gully intersection; and (b) marks a left hand turning lane for traffic heading away from Bendigo, bearing 464 signatures (*Ms Edwards*).
- Ordered to be tabled.
- 3 **PETITION — CALDER HIGHWAY AND EDWARDS ROAD MAIDEN GULLY INTERSECTION** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:
- Applying the High Value High Risk Process to Unsolicited Proposals — Ordered to be published
Biosecurity: Livestock — Ordered to be published
Unconventional Gas: Managing Risks and Impacts — Ordered to be published

Commission for Children and Young People Act 2012 — Inquiry into the adequacy of the provision of residential care services to Victorian children and young people who have been subject to sexual abuse or sexual exploitation whilst residing in residential care — Ordered to be published

Statutory Rule under the *Powers of Attorney Act 2014* — SR 93.

- 5 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Adoption Amendment Bill 2015
Associations Incorporation Reform Amendment (Electronic Transactions) Bill 2015
Road Safety Amendment (Private Car Parks) Bill 2015.

- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Family and Community Development Committee's Interim Report on the Inquiry into Abuse in Disability Services

Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearing Alert Report.

- 8 **FIREARMS AMENDMENT (TRAFFICKING AND OTHER MEASURES) BILL 2015** — *Mr Noonan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Noonan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 2 September 2015.

- 9 **HEAVY VEHICLES LEGISLATION AMENDMENT BILL 2015** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 2 September 2015.

- 10 **RACING AMENDMENT BILL 2015** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Motion made and question — That the debate be adjourned until Tuesday 1 September 2015 (*Mr Donnellan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphine; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Business having been interrupted at 11.00 am under sessional orders.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

Prior notice having been given under SO 43, business was interrupted at 12.03 pm.

13 **MINISTERIAL STATEMENT — LOCAL GOVERNMENT** — Ms Hutchins made a ministerial statement relating to local government, to which members responded.

Business having been interrupted at 2.00 pm under sessional orders.

14 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

15 **MINISTERIAL STATEMENT — LOCAL GOVERNMENT** — Responses continued on the ministerial statement.

16 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2015** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Motion made and question — That the debate be adjourned until Tuesday 1 September 2015 (*Ms D'Ambrosio*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Mulder; Dr Naphthine; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 17 **CRIMES AMENDMENT (CHILD PORNOGRAPHY AND OTHER MATTERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.31 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 34 — Thursday 20 August 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Eltham Ambulance Station Funding** — Requesting that the Eltham Ambulance station be one of the nine ambulance stations to receive upgrade funding, bearing 210 signatures (*Ms Ward*)
- Manchester Primary** — Requesting that the Legislative Assembly increases available funding for Manchester Primary School's Masterplan, bearing 285 signatures (*Mrs Fyffe*)
- Jetty Road Overpass Funding** — Requesting that the Legislative Assembly, in accordance with VicRoads Point Nepean Road Study, approves funding for the Jetty Road overpass to relieve congestion at the current terminus of the Mornington Peninsula Freeway, bearing 36 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 3 **PETITION — JETTY ROAD OVERPASS FUNDING** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 4 **PETITION — MANCHESTER PRIMARY** — Motion made and question — That the petition presented by the Member for Evelyn be taken into consideration tomorrow (*Mrs Fyffe*) — put and agreed to.
- 5 **PETITION — ELTHAM AMBULANCE STATION FUNDING** — Motion made and question — That the petition presented by the Member for Eltham be taken into consideration tomorrow (*Ms Ward*) — put and agreed to.
- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 1 September 2015 (*Ms Allan*) — put and agreed to.
- 7 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 8 **CRIMES AMENDMENT (CHILD PORNOGRAPHY AND OTHER MATTERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 11 **CRIMES AMENDMENT (CHILD PORNOGRAPHY AND OTHER MATTERS) BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Crisp*) — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Mulder; Dr Naphthine; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **RESOURCES LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 13 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Planning and Environment Amendment (Infrastructure Contributions) Bill 2015 with amendments.
- Ordered — That the amendments be taken into consideration immediately.
- 15 **PLANNING AND ENVIRONMENT AMENDMENT (INFRASTRUCTURE CONTRIBUTIONS) BILL 2015** — Order read for the consideration of the amendments made by the Legislative Council.
- After debate, the amendments were agreed to.
- Message sent to the Legislative Council informing them accordingly.
- 16 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 18 August 2015 had expired.*
- Question — That this Bill be now read a second time — put and agreed to.
- Question — That this Bill be now read a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 17 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2015–16 budget papers — put and agreed to.
- 18 **EMERGENCY MANAGEMENT (CONTROL OF RESPONSE ACTIVITIES AND OTHER MATTERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 19 **CRIMES AMENDMENT (CHILD PORNOGRAPHY AND OTHER MATTERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **RESOURCES LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.03 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.29 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 35, 36, 37 and 38

No 35 — Tuesday 1 September 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF THE HONOURABLE FRANCIS RAYMOND SCULLY** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Francis Raymond Scully, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Richmond from 1949 to 1958 and Minister without Portfolio from 1952 to 1955 (*Mr Andrews*) — put, after the Speaker and other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **DEATH OF THE HONOURABLE FRANK NOEL WILKES, AM** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Frank Noel Wilkes, AM, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Northcote from 1957 to 1988 and Leader of the Opposition from 1977 to 1981, Minister for Local Government from 1982 to 1985, Minister for Housing from 1985 to 1987, Minister for Tourism and Minister for Water Resources from 1987 to 1988 (*Mr Andrews*) — put, after the Speaker and other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 4 **ADJOURNMENT** — Motion made, by leave, and question — That, as a further mark of respect to the memory of the late Honourable Francis Raymond Scully, and the late Honourable Frank Noel Wilkes, AM, the House now adjourns until 3.00 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 1.52 pm, adjourned until 3.00 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 36 — Tuesday 1 September 2015
(3.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AND OTHER ACTS AMENDMENT BILL 2015** — Mr Noonan obtained leave to bring in a Bill *for an Act to amend the Serious Sex Offenders (Detention and Supervision) Act 2009 to provide new police powers in*

relation to offenders and to further provide for the management of offenders, and to generally improve the operation and enforcement of that Act, to amend the **Bail Act 1977** to require, in proceedings with respect to bail, certain accused persons to show cause why their detention in custody is not justified, to amend the **Corrections Act 1986**, the **Sentencing Act 1991** and the **Sex Offenders Registration Act 2004** and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

5 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) BILL 2015** — Ms Hennessy obtained leave to bring in a Bill 'for an Act to specify requirements that the operators of certain publicly funded health facilities staff certain wards with a minimum number of nurses or midwives, to provide for the reporting of compliance with, and enforcement of, those requirements and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

6 **CRIMINAL ORGANISATIONS CONTROL AMENDMENT (UNLAWFUL ASSOCIATIONS) BILL 2015** — Mr Pakula obtained leave to bring in a Bill 'for an Act to amend the **Criminal Organisations Control Act 2012** to prohibit individuals associating with individuals convicted of serious criminal offences for the purpose of preventing the commission of offences and to repeal the offence of consorting from the **Summary Offences Act 1966** and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

7 **ENERGY LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — Ms D'Ambrosio obtained leave to bring in a Bill 'for an Act to amend the **Electricity Industry Act 2000**, the **Essential Services Commission Act 2001** and the **Gas Industry Act 2001** and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL 2015** — Ms Allan obtained leave to bring in a Bill 'for an Act to amend the **Prevention of Cruelty to Animals Act 1986** and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

9 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Referendum on Separation of Sunbury from the Hume City Council — Requesting that the Legislative Assembly legislate to hold a compulsory referendum on whether Sunbury ought to separate from Hume City Council and to provide all the information necessary for residents to make an informed decision before casting their vote, bearing 6993 signatures (*Mr Bull, Sunbury*).

Ordered to be tabled.

10 **PETITION — REFERENDUM ON SEPARATION OF SUNBURY FROM THE HUME CITY COUNCIL** — Motion made and question — That the petition presented by the Member for Sunbury be taken into consideration tomorrow (*Mr Bull, Sunbury*) — put and agreed to.

11 **DOCUMENTS**

VICTORIAN PUBLIC HEALTH AND WELLBEING PLAN 2015–19 — Tabled by leave (*Ms Hennessy*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 10 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Child Pornography and Other Matters) Bill 2015

Firearms Amendment (Trafficking and Other Measures) Bill 2015

Heavy Vehicles Legislation Amendment Bill 2015

National Electricity (Victoria) Amendment Bill 2015
 Public Health and Wellbeing Amendment (Safe Access) Bill 2015
 Racing Amendment Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Independent Broad-based Anti-corruption Commission — Special report concerning police oversight — Ordered to be published

Interpretation of Legislation Act 1984 — Notice under s 32(4)(a)(iii) in relation to Waste Management Policy (Siting, Design and Management of Landfills) 2004 (*Gazette G33, 20 August 2015*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Casey — C166
 Greater Geelong — C59, C274
 Macedon Ranges — C106
 Moreland — C149
 Moyne — C57
 Pyrenees — C40
 Stonnington — C173
 Wangaratta — C43
 Wodonga — C118
 Yarra — C149, C157, C163

Statutory Rules under the following Acts:

Corrections Act 1986 — SRs 94, 95
Greenhouse Gas Geological Sequestration Act 2008 — SR 96
Mineral Resources (Sustainable Development) Act 1990 — SR 98
Pipelines Act 2005 — SR 97

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 95
 Documents under s 16B in relation to the *Building Act 1993* — Amendment to Determination that Specified Areas are Designated Bushfire Prone Areas

Victorian Electoral Commission:

Report on the Gippsland South District by-election held on 14 March 2015
 Report to Parliament on the 2014 Victorian State election.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Justice Legislation Amendment Act 2015 — Part 16 — 1 September 2015 (*Gazette S236, 25 August 2015*).

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Infrastructure Victoria Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration tomorrow.

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 25 August 2015, given the royal assent to the following bills, presented to her by the Deputy Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

Adoption Amendment Bill 2015
Associations Incorporation Reform Amendment (Electronic Transactions) Bill 2015
Road Safety Amendment (Private Car Parks) Bill 2015.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had today given the royal assent to the Planning and Environment Amendment (Infrastructure Contributions) Bill 2015, presented to her by the Clerk of the Parliaments.

- 15 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Racing Amendment Bill 2015.

- 16 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE** — The Speaker announced that he had received the resignation of Mr Purcell, MLC, from the Economic, Education, Jobs and Skills Committee, effective from today.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 3 September 2015:

Firearms Amendment (Trafficking and Other Measures) Bill 2015
Heavy Vehicles Legislation Amendment Bill 2015
National Electricity (Victoria) Amendment Bill 2015
Racing Amendment Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 19 **RACING AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.27 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 37 — Wednesday 2 September 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **LOCAL GOVERNMENT AMENDMENT (IMPROVED GOVERNANCE) BILL 2015** — Ms Hutchins obtained leave to bring in a Bill 'for an Act to amend the *Local Government Act 1989* to improve the governance standards of Councils, amend arrangements for local government elections and provide for other matters, to amend the *City of Melbourne Act 2001* to repeal Part 4A of that Act and to consequentially amend the *City of Greater Geelong Act 1993*, the *City of Melbourne Act 2001*, the *Electoral Act 2002* and the *Victorian Civil and Administrative Tribunal Act 1998* and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Eltham Ambulance Station Funding — Requesting that the Eltham Ambulance station be one of the nine ambulance stations to receive upgrade funding, bearing 16 signatures (*Ms Ward*)

Gippsland Regional Aquatic Centre — Requesting that the Legislative Assembly calls on the Government to match the Coalition's pre-election funding commitment of at least \$9 million as a state Government contribution to the Gippsland Regional Aquatic Centre, bearing 3575 signatures (*Mr Northe*).

Petitions ordered to be tabled.

- 4 **PETITION — GIPPSLAND REGIONAL AQUATIC CENTRE** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

- 5 **DOCUMENTS**

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Ms Halfpenny, Chair, presented an interim report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the CFA Training College at Fiskville, in lieu of the interim report previously tabled on Wednesday 24 June 2015.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Alexandra Gardens Reserve and Alexandra Park Reserve

Hazelwood Mine Fire Inquiry Report 2015–16 Volume 1 — Anglesea Mine — Ordered to be published.

6 **STATEMENTS BY MEMBERS** — Statements by members were made.

7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Family and Community Development Committee's Interim Report on the inquiry into Abuse in Disability Services

Public Accounts and Estimates Committee's 2015–16 budget estimates hearings alert report.

8 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AND OTHER ACTS AMENDMENT BILL 2015** — *Mr Noonan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Noonan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 15 September 2015.

9 **CRIMINAL ORGANISATIONS CONTROL AMENDMENT (UNLAWFUL ASSOCIATIONS) BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 15 September 2015.

10 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) BILL 2015** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 16 September 2015.

11 **ENERGY LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwck*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 16 September 2015.

- 12 **PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 16 September 2015.

- 13 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 16 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 17 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — UNION INTERESTS** — The House was informed that Mr Clark had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Andrews Labor Government for putting the interests of union bosses ahead of the interests of ordinary Victorians, including:

- (a) failing to stand up to outrageous demands and unjustified strikes and bans by rogue union officials, which threaten vital public services;
- (b) agreeing to secret wages deals and restrictive work practices as pay-offs for election support;
- (c) introducing a costly and ill-considered Grand Final eve public holiday and making Victoria the public holiday capital of Australia;
- (d) allowing union bosses to exercise improper influence over due process and government decision-making;
- (e) putting the interests of the United Firefighters Union ahead of the effective operation of the Country Fire Authority and the role of CFA volunteers;
- (f) repealing the Coalition's move-on laws, removing crucial police powers to uphold the law when union thugs impose unlawful pickets and blockades; and
- (g) scrapping the Victorian code of practice for the building and construction industry and abolishing the Construction Code Compliance Unit.'

Mr Clark addressed the House — Discussion followed.

- 18 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **FIREARMS AMENDMENT (TRAFFICKING AND OTHER MEASURES) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.26 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 38 — Thursday 3 September 2015

- 1 The Speaker took the Chair and read the Prayer.

- 2 **RESIGNATION OF SEATS** — The Speaker announced that today he had received the resignations of the Members for Polwarth and South-West Coast.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

St Leonards Road Repairs — Requesting that the Legislative Assembly — (a) directs the repair of the rough, uneven and unsafe sections of The Esplanade, Drysdale-St Leonards Road and Portarlinton-Queenscliff Road to render them safe; and (b) widens the roads where possible, bearing 483 signatures (*Ms Neville*)

Indian Cultural Precinct in Wyndham City Council — Requesting that the Legislative Assembly considers and chooses Point Cook, East Werribee or any other suitable location in Wyndham City Council for the Indian Cultural Precinct, bearing 218 signatures (*Ms Green*).

Petitions ordered to be tabled.

- 4 **PETITION — ST LEONARDS ROAD REPAIRS** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Couzens*) — put and agreed to.

- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Ombudsman — Conflict of interest by an Executive Officer in the Department of Education and Training — Ordered to be published

Subordinate Legislation Act 1994:

Documents under s 16B in relation to the *Public Holidays Act 1993* — Easter Sunday and the Friday before the AFL Grand Final Public Holidays

Terrorism (Community Protection) Act 2003 — Report 2013–14 under s 21M.

6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 15 September 2015 (*Ms Allan*) — put and agreed to.

7 **STATEMENTS BY MEMBERS** — Statements by members were made.

8 **LOCAL GOVERNMENT AMENDMENT (IMPROVED GOVERNANCE) BILL 2015** — *Ms Hutchins* tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 17 September 2015.

9 **FIREARMS AMENDMENT (TRAFFICKING AND OTHER MEASURES) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

12 **FIREARMS AMENDMENT (TRAFFICKING AND OTHER MEASURES) BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Thomson, Footscray*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Road Safety Amendment Bill 2015 without amendment.

14 **INFRASTRUCTURE VICTORIA BILL 2015** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

15 **HEAVY VEHICLES LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — *The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 1 September 2015 had expired.*

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **RACING AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 and 2 be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **FIREARMS AMENDMENT (TRAFFICKING AND OTHER MEASURES) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.24 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 39, 40 and 41

No 39 — Tuesday 15 September 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF JANE MARGARET HILL** — The Speaker announced the death of Jane Margaret Hill, Member of the Legislative Assembly for the Electoral Districts of Frankston from 1982 to 1985 and Frankston North from 1985 to 1992; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 5 **PUBLIC HEALTH AND WELLBEING AMENDMENT (NO JAB, NO PLAY) BILL 2015** — Ms Hennessy obtained leave to bring in a Bill *'for an Act to amend the **Public Health and Wellbeing Act 2008** to increase immunisation rates for young children in the community and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **VICTIMS OF CRIME COMMISSIONER BILL 2015** — Mr Pakula obtained leave to bring in a Bill *'for an Act to establish the Victims of Crime Commissioner and the Victims of Crime Consultative Committee and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **WRONGS AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the **Wrongs Act 1958** in relation to maximum amounts of damages for economic loss and non-economic loss, damages for loss of capacity to care for dependants in limited circumstances, threshold impairment levels for psychiatric and spinal injury, certain proceedings to which Part VBA of that Act applies and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **NATIONAL PARKS AMENDMENT (NO 99 YEAR LEASES) BILL 2015** — Ms Neville obtained leave to bring in a Bill *'for an Act to amend the **National Parks Act 1975** to repeal section 19I of that Act to remove the power to grant a lease of any land that may be leased under section 19G of that Act for a term of more than 21 years and not exceeding 99 years and to reduce the maximum term of a lease that may be granted for specific areas of land in specified parks from 99 years to 50 years and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **GAMBLING LEGISLATION AMENDMENT BILL 2015** — Ms Garrett obtained leave to bring in a Bill *'for an Act to amend the **Casino Control Act 1991**, the **Gambling Regulation Act 2003** and the **Victorian Responsible Gambling Foundation Act 2011** and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (ABORIGINAL PRINCIPAL OFFICERS) BILL 2015** — Ms Hutchins obtained leave to bring in a Bill *'for an Act to amend the **Children, Youth and Families Act 2005** to make further provision in relation to the authorisation of the principal officers of Aboriginal agencies and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

11 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

V/Line Services in Sunbury — Requesting that the Legislative Assembly reinstates access to V/Line services in Sunbury, bearing 1771 signatures (*Mr Bull, Sunbury*).

Ordered to be tabled.

12 **PETITION — V/LINE SERVICES IN SUNBURY** — Motion made and question — That the petition presented by the Member for Sunbury be taken into consideration tomorrow (*Mr Bull, Sunbury*) — put and agreed to.

13 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 11 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Criminal Organisations Control Amendment (Unlawful Associations) Bill 2015
 Energy Legislation Amendment (Consumer Protection) Bill 2015
 Local Government Amendment (Improved Governance) Bill 2015
 Prevention of Cruelty to Animals Amendment Bill 2015
 Public Health and Wellbeing Amendment (Safe Access) Bill 2015
 Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Bill 2015
 Serious Sex Offenders (Detention and Supervision) and Other Acts Amendment Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Forensic Leave Panel — Report 2014

Independent Broad-based Anti-corruption Commission — Report 2014–15 — Ordered to be published

Liquor Control Reform Act 1998 — Report 2014–15 under s 148R

Parliamentary Salaries and Superannuation Act 1968 — Report 2014–15 under s 7C

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Frankston — C104
 Gannawarra — C39
 Greater Shepparton — C175
 Hume — C203
 Macedon Ranges — C104
 Melbourne — GC36
 Moonee Valley — C150, GC36
 Moreland — GC36
 Whitehorse — C180
 Yarra — GC36

Professional Standards Act 2003 — Instrument Amending the Institute of Chartered Accountants in Australia Professional Standards Scheme (Victoria) under s 14 (*Gazette S246, 28 August 2015*)

Statutory Rules under the following Acts:

Infringements Act 2006 — SR 100

Victorian Civil and Administrative Tribunal Act 1998 — SRs 99, 101

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 94, 96, 97, 98, 99, 100

Documents under s 16B in relation to — *Racing Act 1958* — Harness Racing Victoria — Notice of amendments to Australian Rules of Harness Racing and Australian Trotting Stud Book Regulations

Victorian Institute of Teaching — Report 2014–15.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Legislation Amendment Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 15 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2015

Education and Training Reform Amendment (Miscellaneous) Bill 2015

Local Government Legislation Amendment (Environmental Upgrade Agreements) Bill 2015.

- 16 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 8 September 2015, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Classification (Publications, Films and Computer Games) (Enforcement) Amendment Bill 2015

Education and Training Reform Amendment (Miscellaneous) Bill 2015

Infrastructure Victoria Bill 2015

Local Government Legislation Amendment (Environmental Upgrade Agreements) Bill 2015

Road Safety Amendment Bill 2015.

- 17 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Energy Legislation Amendment (Consumer Protection) Bill 2015

Local Government Amendment (Improved Governance) Bill 2015

Prevention of Cruelty to Animals Amendment Bill 2015.

- 18 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 17 September 2015:

Criminal Organisations Control Amendment (Unlawful Associations) Bill 2015

Energy Legislation Amendment (Consumer Protection) Bill 2015

Local Government Amendment (Improved Governance) Bill 2015

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Bill 2015

Serious Sex Offenders (Detention and Supervision) and Other Acts Amendment Bill 2015

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

19 **STATEMENTS BY MEMBERS** — Statements by members were made.

20 **CRIMINAL ORGANISATIONS CONTROL AMENDMENT (UNLAWFUL ASSOCIATIONS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

21 **CORRECTIONS LEGISLATION AMENDMENT BILL 2015** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

22 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AND OTHER ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 40 — Wednesday 16 September 2015

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Gippsland Rail Line Improvements — Requesting that the Legislative Assembly directs the Government to adopt the Liberal-Nationals Coalition's plan to invest in major rail infrastructure projects and service improvements to deliver a better public transport link for the Gippsland region, bearing 135 signatures (*Mr Northe*)

Jetty Road Overpass Funding — Requesting that the Legislative Assembly in accordance with VicRoads Point Nepean road study, approves funding for the Jetty Road overpass to relieve congestion at the current terminus of the Mornington Peninsula Freeway, bearing 23 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

3 **PETITION — GIPPSLAND RAIL LINE IMPROVEMENTS** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

4 **PETITION — JETTY ROAD OVERPASS FUNDING** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents in accordance with an Act of Parliament:

Auditor-General:

Realising the Benefits of Smart Meters — Ordered to be published

Regional Growth Fund: Outcomes and Learnings — Ordered to be published.

6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Emergency Management (Control of Response Activities and Other Matters) Bill 2015

Resources Legislation Amendment Bill 2015.

7 **STATEMENTS BY MEMBERS** — Statements by members were made.

8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearing Alert Report

Family and Community Development Committee's Interim Report on the Inquiry into Abuse in Disability Services.

9 **PUBLIC HEALTH AND WELLBEING AMENDMENT (NO JOB, NO PLAY) BILL 2015** — *Ms Hennessy* tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 30 September 2015.

- 10 **VICTIMS OF CRIME COMMISSIONER BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 30 September 2015.

- 11 **WRONGS AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 30 September 2015.

- 12 **NATIONAL PARKS AMENDMENT (NO 99 YEAR LEASES) BILL 2015** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 30 September 2015.

- 13 **GAMBLING LEGISLATION AMENDMENT BILL 2015** — *Ms Garrett tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Garrett*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Ms Garrett made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.

Motion made and question — That the debate be now adjourned (*Mr Northe*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 30 September 2015.

- 14 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (ABORIGINAL PRINCIPAL OFFICERS) BILL 2015** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 30 September 2015.

- 15 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AND OTHER ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 16 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 17 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 18 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AND OTHER ACTS AMENDMENT BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Garrett*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **ENERGY LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

- 20 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — EDUCATION FUNDING** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the former Coalition government for slashing funding to education during their time in government, including:

- (a) halving the capital works budget leaving schools run down and bursting at the seams;
- (b) slashing regional staff leaving schools and principals abandoned; and
- (c) signing up to the National Heads of Agreement without funding it.'

Mr Merlino addressed the House — Discussion followed.

- 21 **ENERGY LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Crisp*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.31 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 41 — Thursday 17 September 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **ISSUE OF WRITS** — The Speaker announced that he had, today, issued writs for by-elections for the Electoral District of Polwarth and the Electoral District of South-West Coast to be held on 31 October 2015.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Special Religious Instruction in Government Schools** — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 131 signatures (*Mr Clark*)
- Additional Public Holidays** — Requesting that the Legislative Assembly calls on the Government to reconsider its decision to introduce two additional public holidays in Victoria, bearing 174 signatures (*Mr Watt*)
- Robinsons Road and Western Port Highway** — Requesting that the Legislative Assembly — (a) immediately begins the process of installing a roundabout at the intersection of Robinsons Road and Western Port Highway in Pearcedale; and (b) institutes traffic management strategies, including but not limited to the reduction of the speed limit on the Robinsons Road section of the Western Port Highway to 80km/h, bearing 259 signatures (*Mr Burgess*)
- Additional Frontline Police** — Requesting that the Legislative Assembly calls on the Government to commit to providing additional frontline police numbers, bearing 80 signatures (*Mr Burgess*)
- Grand Final Eve Public Holiday** — Requesting that the Legislative Assembly calls on the Government to reverse its decision to impose the Grand Final eve public holiday, bearing 127 signatures (*Mr Burgess*)
- Tyabb Communications Upgrade** — Requesting that the Legislative Assembly requests that the locality of Tyabb receive an immediate communications upgrade to provide mobile phone and mobile internet services and ADSL services, bearing 29 signatures (*Mr Burgess*).

Petitions ordered to be tabled.

- 4 **PETITION — ROBINSONS ROAD AND WESTERN PORT HIGHWAY** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 5 **PETITION — ADDITIONAL FRONTLINE POLICE** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 6 **PETITION — GRAND FINAL EVE PUBLIC HOLIDAY** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 7 **PETITION — TYABB COMMUNICATIONS UPGRADE** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 8 **PETITION — ADDITIONAL PUBLIC HOLIDAYS** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

9 DOCUMENTS

PARLIAMENTARY DEPARTMENTS — Reports 2014–15 of the Department of the Legislative Assembly and the Department of Parliamentary Services tabled by leave (*Mr Nardella*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Charter of Human Rights and Responsibilities Act 2006 — From Commitment to Culture: The 2015 Review of the *Charter of Human Rights and Responsibilities Act 2006* under s 45 — Ordered to be published

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 91 (*Gazette S36, 10 September 2015*)

Ombudsman — Investigation into the rehabilitation and reintegration of prisoners in Victoria — Ordered to be published

Victorian WorkCover Authority — Report 2014–15.

- 10 **ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 23 December 2014 be amended to extend the final reporting date for the Environment, Natural Resources and Regional Development Committee's Inquiry into the CFA Training College at Fiskville to no later than 31 March 2016 (*Mr Merlino*) — put and agreed to.
- 11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 6 October 2015 (*Mr Merlino*) — put and agreed to.
- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 16 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Amendment (Child Pornography and Other Matters) Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 18 **LOCAL GOVERNMENT AMENDMENT (IMPROVED GOVERNANCE) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the National Electricity (Victoria) Bill 2015 without amendment.

- 20 **CRIMES AMENDMENT (CHILD PORNOGRAPHY AND OTHER MATTERS) BILL 2015** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 21 **LOCAL GOVERNMENT AMENDMENT (IMPROVED GOVERNANCE) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 15 September 2015 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **CRIMINAL ORGANISATIONS CONTROL AMENDMENT (UNLAWFUL ASSOCIATIONS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 77

Ms Allan; Mr Andrews; Mr Angus; Mr Battin; Ms Blandthorn; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Edbrooke; Ms Edwards; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 23 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AND OTHER ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 24 **ENERGY LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 25 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.08 pm under sessional orders.

- 26 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.32 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 42, 43 and 44

No 42 — Tuesday 6 October 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF VERNON THOMAS HAUSER** — The Speaker announced the death of Vernon Thomas Hauser, Member of the Legislative Council for the Electoral Provinces of Boronia from 1970 to 1976 and Nunawading from 1976 to 1982; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 5 **DEPUTY ELECTORAL COMMISSIONER** — The Speaker advised that, on 5 October 2015, he administered to Elizabeth Anne Williams, the Deputy Electoral Commissioner, the affirmation required by s 16 of the *Electoral Act 2002*.
- 6 **RELATIONSHIPS AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Relationships Act 2008 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **JUSTICE LEGISLATION AMENDMENT (POLICE CUSTODY OFFICERS) BILL 2015** — Mr Noonan obtained leave to bring in a Bill '*for an Act to amend the Victoria Police Act 2013, the Corrections Act 1986, the Court Security Act 1980, the Crimes Act 1958 and the Road Safety Act 1986 with respect to police custody officers and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **ADOPTION AMENDMENT (ADOPTION BY SAME-SEX COUPLES) BILL 2015** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the Adoption Act 1984 to enable the adoption of children by same-sex couples and to amend the Equal Opportunity Act 2010 to remove the exception to the prohibition to discriminate in relation to religious bodies providing adoption services and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **VICTORIAN ENERGY EFFICIENCY TARGET AMENDMENT (SAVING ENERGY, GROWING JOBS) BILL 2015** — Ms Allan, on behalf of Ms D'Ambrosio, obtained leave to bring in a Bill '*for an Act to amend the Victorian Energy Efficiency Target Act 2007 in relation to the VEET scheme target and greenhouse gas reduction rates and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **DOCUMENTS**
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 12 of 2015 from the Scrutiny of Acts and Regulations Committee on the:
Children, Youth and Families Amendment (Aboriginal Principal Officers) Bill 2015
Criminal Organisations Control Amendment (Unlawful Associations) Bill 2015
Education and Training Reform Amendment (Miscellaneous) Bill 2015
Gambling Legislation Amendment Bill 2015
National Parks Amendment (No 99 Year Leases) Bill 2015

Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015
 Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Bill 2015
 Serious Sex Offenders (Detention and Supervision) and Other Acts Amendment Bill 2015
 Victims of Crime Commissioner Bill 2015
 Wrongs Amendment Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Adult, Community and Further Education Board — Report 2014–15

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Corinella Foreshore Reserve

Energy Safe Victoria — Report 2014–15

Financial Management Act 1994:

Report from the Minister for Veterans that he had received the Report 2014–15 of the Victorian Veterans Council

Report from the Minister for Women that she had received the Report 2014–15 of the Queen Victoria Women's Centre Trust

Glenelg Hopkins Catchment Management Authority — Report 2014–15

Goulburn Broken Catchment Management Authority — Report 2014–15

Health and Human Services, Department of — Report 2014–15

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 97 (*Gazette G36, 10 September 2015*)

Mallee Catchment Management Authority — Report 2014–15

North Central Catchment Management Authority — Report 2014–15

North East Catchment Management Authority — Report 2014–15

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Ballarat — C173

Banyule — C71

Boroondara — C220

Casey — C202

Colac Otway — C83

Corangamite — C36

Glen Eira — C130

Greater Geelong — C203, C261

Knox — C120

Macedon Ranges — C84

Maroondah — C98

Melbourne — C261
Mitchell — C56
Monash — C123
Moonee Valley — C144
Moreland — C130, C133
Stonnington — C175, C184, C206
Surf Coast — C100
Warrnambool — C73 Part 2, C97
Whitehorse — C162, C170
Yarra — C181, C190
Yarra Ranges — C147, C175

Port of Hastings Development Authority — Report 2014–15

Road Safety Camera Commissioner — Report 2014–15

Roads Corporation (VicRoads) — Report 2014–15

Statutory rules under the following Acts:

Adoption Act 1984 — SR 102

Improving Cancer Outcomes Act 2014 — SRs 106, 107

Subdivision Act 1988 — SR 105

Supreme Court Act 1986 — SRs 102, 103 (Volumes 1 and 2)

Transfer of Land Act 1958 — SRs 104, 105

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 102, 103

Documents under s 16B in relation to the:

Education and Training Reform Act 2006 — Ministerial Order No 860

Environment Protection Act 1970:

Industrial Waste — Classification for Drilling Mud

Industrial Waste — Classification for Unprocessed Used Cooking Fats and Oils

Veterans Act 2005 — Approval of the Transfer of the King Valley Community Memorial Hall from the Whitfield RSL Sub-Branch Building Patriotic Fund to King Valley Community Memorial Hall Inc.

Sustainability Victoria — Report 2014–15

Victorian Catchment Management Council — Report 2014–15

Victorian Curriculum and Assessment Authority — Report 2014–15

Victorian Law Reform Commission — Medicinal Cannabis — Ordered to be published

Victorian Regional Channels Authority — Report 2014–15

Victorian Registration and Qualifications Authority — Report 2014–15

Victorian Small Business Commissioner — Report 2014–15 — Ordered to be published

West Gippsland Catchment Management Authority — Report 2014–15

Wimmera Catchment Management Authority — Report 2014–15.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Associations Incorporation Reform Amendment (Electronic Transactions) Act 2015 — Whole Act — 1 October 2015 (*Gazette S285 29 September 2015*)

Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Act 2014 — Remaining provisions (except s 79) — 30 September 2015 (*Gazette S278 22 September 2015*)

Energy Legislation Amendment (Publication of Retail Offers) Act 2015 — Whole Act — 1 October 2015 (*Gazette S285 29 September 2015*)

Infrastructure Victoria Act 2015 — Whole Act — 1 October 2015 (*Gazette S285 29 September 2015*).

- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Firearms Amendment (Trafficking and Other Measures) Bill 2015

Heavy Vehicles Legislation Amendment Bill 2015.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 22 September 2015, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Corrections Legislation Amendment Bill 2015

Crimes Amendment (Child Pornography and Other Matters) Bill 2015

Emergency Management (Control of Response Activities and Other Matters) Bill 2015

Firearms Amendment (Trafficking and Other Measures) Bill 2015

Heavy Vehicles Legislation Amendment Bill 2015

National Electricity (Victoria) Amendment Bill 2015

Resources Legislation Amendment Bill 2015.

- 13 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Victims of Crime Commissioner Bill 2015.

- 14 **ELECTORAL MATTERS COMMITTEE AND PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — EXTENSION TO REPORTING DATES** — Motion made, by leave, and question — That the resolution of the House of 5 May 2015 be amended:

(1) to extend the reporting date for the Electoral Matters Committee's inquiry into the conduct of the 2014 Victorian State Election to no later than 30 April 2016; and

(2) to extend the reporting date for the Public Accounts and Estimates Committee's inquiry into the Impact on Victorian Government Service Delivery of Changes to National Partnership Agreements to no later than 1 March 2016 —

(*Ms Allan*) — put and agreed to.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 8 October 2015:

National Parks Amendment (No 99 Year Leases) Bill 2015

Prevention of Cruelty to Animals Amendment Bill 2015

Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015

Victims of Crime Commissioner Bill 2015

Wrongs Amendment Bill 2015

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 42

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

16 **STATEMENTS BY MEMBERS** — Statements by members were made.

17 **PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Racing Amendment Bill 2015 without amendment.

19 **PUBLIC HEALTH AND WELLBEING AMENDMENT (NO JAB, NO PLAY) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.27 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 43 — Wednesday 7 October 2015

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 332, 31, 39, 114 and 150 signatures (*Mr Clark, Mr Burgess, Mr Crisp, Mr Walsh and Mr Wells respectively*)

Gardiner Station Car Park Access — Requesting that the Legislative Assembly — (a) reinstates the original plans for the repositioning of the Gardiner Station car park access point as at July 2015; (b) puts a hold on the construction of the access point until a satisfactory outcome is achieved; (c) advises why the car park access changed from the originally published plan; and (d) determines why there was a lack of community consultation with residents, bearing 34 signatures (*Mr O'Brien, Malvern*)

Grand Final Eve Public Holiday — Requesting that the Legislative Assembly calls on the Government to reverse its decision to impose the Grand Final Eve public holiday, bearing 437 signatures (*Mr Northe*).

Petitions ordered to be tabled.

- 3 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 4 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 5 **PETITION — GARDINER STATION CAR PARK ACCESS** — Motion made and question — That the petition presented by the Member for Malvern be taken into consideration tomorrow (*Mr O'Brien, Malvern*) — put and agreed to.
- 6 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Rowville be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 7 **PETITION — GRAND FINAL EVE PUBLIC HOLIDAY** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Albury Wodonga Health — Report 2014–15

Alexandra District Health — Report 2014–15

Alfred Health — Report 2014–15

Alpine Health — Report 2014–15

Ambulance Victoria — Report 2014–15

Auditor-General:

Delivering Services to Citizens and Consumers via Devices of Personal Choice: Phase 2 — Ordered to be published

Financial Systems Controls Report: Information Technology 2014–15 — Ordered to be published

Report 2014–15 (two documents)

Austin Health — Report 2014–15

Australian Centre for the Moving Image — Report 2014–15

Bairnsdale Regional Health Service — Report 2014–15

Ballarat Health Services — Report 2014–15

Barwon Health — Report 2014–15

Beaufort and Skipton Health Service — Report 2014–15

Beechworth Health Service — Report 2014–15

Benalla Health — Report 2014–15

Bendigo Health Care Group — Report 2014–15

Boort District Hospital — Report 2014–15

Calvary Health Care Bethlehem Ltd — Report 2014–15

Casterton Memorial Hospital — Report 2014–15

Castlemaine Health — Report 2014–15

Central Gippsland Health Service — Report 2014–15

Cobram District Hospital — Report 2014–15

Cohuna District Hospital and Cohuna Community Nursing Home Inc — Report 2014–15

Colac Area Health — Report 2014–15

Confiscation Act 1997 — Report 2014–15 under s 139A

Dental Health Services Victoria — Report 2014–15 (two documents)

Disability Services Commissioner — Report 2014–15

Djerriwarrh Health Services — Report 2014–15

Docklands Studios Melbourne Pty Ltd — Report 2014–15

Dunmunkle Health Services — Report 2014–15

East Grampians Health Service — Report 2014–15

East Wimmera Health Service — Report 2014–15

Eastern Health — Report 2014–15

Echuca Regional Health — Report 2014–15

Edenhope and District Memorial Hospital — Report 2014–15

Emerald Tourist Railway Board — Report 2014–15

Film Victoria — Report 2014–15

Financial Management Act 1994:

Reports from the Minister for Health that she had received the reports 2014–15 of the:

Ballaarat General Cemeteries Trust

Bendigo Cemeteries Trust

Mildura Cemetery Trust

Tweddle Child and Family Health Service

Victorian Assisted Reproductive Treatment Authority

Victorian Pharmacy Authority

Geelong Cemeteries Trust — Report 2014–15

Geelong Performing Arts Centre Trust — Report 2014–15

Gippsland Southern Health Service — Report 2014–15

Goulburn Valley Health — Report 2014–15

Greater Metropolitan Cemeteries Trust — Report 2014–15

Health Purchasing Victoria — Report 2014–15

Health Services Commissioner, Office of — Report 2014–15

Heathcote Health — Report 2014–15

Hepburn Health Service — Report 2014–15

Hesse Rural Health Service — Report 2014–15

Heywood Rural Health — Report 2014–15

Inglewood and Districts Health Service — Report 2014–15

Kerang District Health — Report 2014–15

Kilmore and District Hospital — Report 2014–15

Kooweerup Regional Health Service — Report 2014–15 (two documents)

Kyabram District Health Service — Report 2014–15

Kyneton District Health Service — Report 2014–15

Latrobe Regional Hospital — Report 2014–15

Library Board of Victoria — Report 2014–15

Lorne Community Hospital — Report 2014–15

Maldon Hospital — Report 2014–15

Mallee Track Health and Community Service — Report 2014–15

Mansfield District Hospital — Report 2014–15

Maryborough District Health Service — Report 2014–15

Melbourne Health — Report 2014–15

Melbourne Recital Centre Ltd — Report 2014–15 (two documents)

Mental Health Complaints Commissioner — Report 2014–15

Mental Health Tribunal — Report 2014–15

Mercy Public Hospitals Inc — Report 2014–15 (two documents)

Metropolitan Planning Authority — Report 2014–15

Monash Health — Report 2014–15

Moyne Health Services — Report 2014–15

Museums Board of Victoria — Report 2014–15

Nathalia District Hospital — Report 2014–15

National Gallery of Victoria, Council of Trustees — Report 2014–15

Northeast Health Wangaratta — Report 2014–15

Northern Health — Report 2014–15

Numurkah District Health Service — Report 2014–15

Ombudsman — Report 2014–15 — Ordered to be published

Omeo District Health — Report 2014–15 (two documents)

Orbost Regional Health — Report 2014–15

Otway Health — Report 2014–15

Peninsula Health — Report 2014–15

Peter MacCallum Cancer Centre — Report 2014–15

Portland District Health — Report 2014–15

Queen Elizabeth Centre — Report 2014–15

Radiation Advisory Committee — Report 2014–15

Robinvale District Health Services — Report 2014–15

Rochester and Elmore District Health Service — Report 2014–15 (two documents)

Royal Children's Hospital — Report 2014–15

Royal Victorian Eye and Ear Hospital — Report 2014–15

Royal Women's Hospital — Report 2014–15

Rural Northwest Health — Report 2014–15

Seymour District Memorial Hospital — Report 2014–15

South Gippsland Hospital — Report 2014–15

South West Healthcare — Report 2014–15

Southern Metropolitan Cemeteries Trust — Report 2014–15

St Vincent's Hospital (Melbourne) Ltd — Report 2014–15

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SR 108

Drugs, Poisons and Controlled Substances Act 1981 — SR 110

Freedom of Information Act 1982 — SR 111

Traditional Owner Settlement Act 2010 — SR 109

Victorian Civil and Administrative Tribunal Act 1998 — SR 112

Stawell Regional Health — Report 2014–15

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 104, 105, 106, 107, 108, 112

Documents under s 16B in relation to the:

Electronic Conveyancing (Adoption of National Law) Act 2013:

Electronic Conveyancing Operating Requirements — Version 3

Electronic Conveyancing Participation Rules — Version 3

Financial Management Act 1994 — Order under s 54AA

Transfer of Land Act 1958 — Registrar's requirements for paper conveyancing under s 106A

Surveillance Devices Act 1999 — Reports 2014–15 under s 30L (five documents)

Swan Hill District Health — Report 2014–15

Tallangatta Health Service — Report 2014–15

Terang and Mortlake Health Service — Report 2014–15

Timboon and District Healthcare Service — Report 2014–15

Upper Murray Health and Community Services — Report 2014–15

Victorian Arts Centre Trust — Report 2014–15

Victorian Health Promotion Foundation — Report 2014–15

Victorian Institute of Forensic Mental Health — Report 2014–15

West Wimmera Health Service — Report 2014–15

Western District Health Service — Report 2014–15

Western Health — Report 2014–15

Wimmera Health Care Group — Report 2014–15

Yarram and District Health Service — Report 2014–15

Yarrawonga District Health Service — Report 2014–15

Yea and District Memorial Hospital — Report 2014–15.

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Energy Legislation Amendment (Consumer Protection) Bill 2015 without amendment.

10 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That —

(1) the resolution of the House of 18 August 2015 be amended to extend the reporting date for the Public Accounts and Estimates Committee's inquiry into allegations made against the Auditor-General to no later than 10 November 2015; and

(2) a message be sent to the Legislative Council seeking their agreement —

(*Ms Allan*) — put and agreed to.

11 **ELECTORAL MATTERS COMMITTEE** — Motion made, by leave, and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry be referred to the Electoral Matters Committee for consideration and report no later than 30 April 2017 on:

(1) the forms of electronic voting currently utilised in Victoria and other jurisdictions and their effectiveness; and

(2) alternatives that are available that if implemented would ensure the continued integrity and security of the electronic voting system —

(*Ms Allan*) — put and agreed to.

12 **STATEMENTS BY MEMBERS** — Statements by members were made.

13 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearings Alert Report.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Informing the Legislative Assembly that they had agreed with the Assembly and resolved — That the resolution of the House of 18 August 2015 be amended to extend the reporting date for the Public Accounts and Estimates Committee's inquiry into allegations made against the Auditor-General to no later than 10 November 2015.

15 **RELATIONSHIPS AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 October 2015.

- 16 **ADOPTION AMENDMENT (ADOPTION BY SAME-SEX COUPLES) BILL 2015** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 October 2015.

- 17 **JUSTICE LEGISLATION AMENDMENT (POLICE CUSTODY OFFICERS) BILL 2015** — *Mr Noonan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Noonan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 October 2015.

- 18 **VICTORIAN ENERGY EFFICIENCY TARGET AMENDMENT (SAVING ENERGY, GROWING JOBS) BILL 2015** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 October 2015.

- 19 **PUBLIC HEALTH AND WELLBEING AMENDMENT (NO JAB, NO PLAY) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 20 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 21 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 22 **PUBLIC HEALTH AND WELLBEING AMENDMENT (NO JAB, NO PLAY) BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 23 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.
- 24 **PUBLIC HEALTH AND WELLBEING AMENDMENT (NO JAB, NO PLAY) BILL 2015** — Debate resumed on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 25 **VICTIMS OF CRIME COMMISSIONER BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.
- Under standing orders, Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.
- Debate resumed on question — That this Bill be now read a second time.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 26 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.34 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 44 — Thursday 8 October 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS**
- VICTORIAN COMPETITION AND EFFICIENCY COMMISSION** — Report 2014–15 tabled by leave (*Mr Pakula*).
- OFFICE OF THE PUBLIC ADVOCATE** — Report 2014–15 tabled by leave (*Mr Pakula*).
- Ordered to be published.
- VICTORIA LAW FOUNDATION** — Report 2014–15 tabled by leave (*Mr Pakula*).
- CONSUMER UTILITIES ADVOCACY CENTRE** — Report 2014–15 tabled by leave (*Ms Garrett*).
- VICTORIAN BUSHFIRES ROYAL COMMISSION IMPLEMENTATION PROGRESS REPORT 2015** — Tabled by leave (*Ms Garrett*).
- POLICE REGISTRATION AND SERVICES BOARD** — Report 2014–15 tabled by leave (*Mr Noonan*).

ACCOUNTABILITY AND OVERSIGHT COMMITTEE — Mr Angus, Chair, presented a report from the Accountability and Oversight Committee on Victorian Oversight Agencies 2013–14, together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Accident Compensation Conciliation Service — Report 2014–15

Adult Multicultural Education Services — Report 2014–2015 (two documents)

Adult Parole Board of Victoria — Report 2014–15

Agriculture Victoria Services Pty Ltd — Report 2014–15

Barwon Region Water Corporation — Report 2014–15

Central Gippsland Region Water Corporation — Report 2014–15

Central Highlands Region Water Corporation — Report 2014–15

Coliban Region Water Corporation — Report 2014–15

Confiscation Act 1997 — Asset Confiscation Operations — Report 2014–15

Corangamite Catchment Management Authority — Report 2014–15

Country Fire Authority — Report 2014–15

Dairy Food Safety Victoria — Report 2014–15

East Gippsland Catchment Management Authority — Report 2014–15

East Gippsland Region Water Corporation — Report 2014–15

Emergency Services Superannuation Board — Report 2014–15

Emergency Services Telecommunications Authority — Report 2014–15

Environment Protection Authority — Report 2014–15

Essential Services Commission — Report 2014–15

Fed Square Pty Ltd — Report 2014–15

Financial Management Act 1994:

Reports from the Minister for Agriculture that she had received the reports 2014–15 of the:

Murray Valley Wine Grape Industry Development Committee

Northern Victorian Fresh Tomato Industry Development Committee

Phytogene Pty Ltd

PrimeSafe

Veterinary Practitioners Registration Board of Victoria

Victorian Strawberry Industry Development Committee

Reports from the Minister for Environment, Climate Change and Water that she had received the reports 2014–15 of the:

Alpine Resorts Co-ordinating Council

Gunaikurnai Traditional Owner Land Management Board

Freedom of Information Commissioner — Report 2014–15

Geoffrey Gardiner Dairy Foundation Ltd — Report 2014–15

Gippsland and Southern Rural Water Corporation — Report 2014–15

Goulburn-Murray Rural Water Corporation — Report 2014–15

Goulburn Valley Region Water Corporation — Report 2014–15

Grampians Wimmera Mallee Water Corporation — Report 2014–15

Greyhound Racing Victoria — Report 2014–15

Harness Racing Victoria — Report 2014–15

Legal Practitioners' Liability Committee — Report 2014–15

Legal Services Board and Legal Services Commissioner — Report 2014–15 — Ordered to be published

Lower Murray Urban and Rural Water Corporation — Report 2014–15

Melbourne and Olympic Parks Trust — Report 2014–15

Members of Parliament (Register of Interests) Act 1978 — Summary of Returns June 2015 and Summary of Variations Notified between 23 June and 7 October 2015 — Ordered to be published

Metropolitan Fire and Emergency Services Board — Report 2014–15

National Parks Act 1975 — Report 2014–15 on the working of the Act

National Parks Advisory Council — Report 2014–15

North East Region Water Corporation — Report 2014–15

Parks Victoria — Report 2014–15

Phillip Island Nature Parks — Report 2014–15

Places Victoria — Report 2014–15

Port Phillip and Westernport Catchment Management Authority — Report 2014–15

Premier and Cabinet, Department of — Report 2014–15

Public Record Office Victoria — Report 2014–15

Racing Integrity Commissioner — Report 2014–15 — Ordered to be published

Recreational Fishing Licence Trust Account — Report 2014–15 on the disbursement of Revenue

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2014–15

Rolling Stock (Victoria-VL) Pty Ltd — Report 2014–15

Rolling Stock (VL-1) Pty Ltd — Report 2014–15

Rolling Stock (VL-2) Pty Ltd — Report 2014–15

Rolling Stock (VL-3) Pty Ltd — Report 2014–15

Royal Botanic Gardens Board Victoria — Report 2014–15

Rural Finance Corporation of Victoria — Report 2014–15

South Gippsland Region Water Corporation — Report 2014–15

State Trustees Ltd — Report 2014–15

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Nudity (Prescribed Areas) Act 1983* — Notice of Revocation of an Area

Transport Accident Commission — Report 2014–15

Trust for Nature (Victoria) — Report 2014–15

Victims of Crime Assistance Tribunal — Report 2014–15

Victoria Legal Aid — Report 2014–15

Victoria Police — Report 2014–15

Victorian Broiler Industry Negotiation Committee — Report 2014–15

Victorian Building Authority — Report 2014–15

Victorian Environmental Assessment Council — Report 2014–15

Victorian Environmental Water Holder — Report 2014–15

Victorian Equal Opportunity and Human Rights Commission — Report 2014–15 — Ordered to be published

Victorian Funds Management Corporation — Report 2014–15

Victorian Government Purchasing Board — Report 2014–15

Victorian Managed Insurance Authority — Report 2014–15

Victorian Multicultural Commission — Report 2014–15

Victorian Rail Track — Report 2014–15

VITS LanguageLink — Report 2014–15

V/Line Corporation — Report 2014–15

Wannon Region Water Corporation — Report 2014–15

Western Region Water Corporation — Report 2014–15

Westernport Region Water Corporation — Report 2014–15

Young Farmers' Finance Council — Report 2014–15

Youth Parole Board — Report 2014–15

Zoological Parks and Gardens Board Victoria — Report 2014–15.

- 3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 20 October 2015 (*Ms Allan*) — put and agreed to.

- 4 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 5 **VICTIMS OF CRIME COMMISSIONER BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 6 **WRONGS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 7 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 8 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 9 **WRONGS AMENDMENT BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **NATIONAL PARKS AMENDMENT (NO 99 YEAR LEASES) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 October 2015 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **PUBLIC HEALTH AND WELLBEING AMENDMENT (NO JAB, NO PLAY) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **PREVENTION TO CRUELTY TO ANIMALS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **VICTIMS OF CRIME COMMISSIONER BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 5 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **WRONGS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.03 pm under sessional orders.

- 15 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.36 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 45, 46 and 47

No 45 — Tuesday 20 October 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the **Terrorism (Community Protection) Act 2003** to provide for the remote entry of premises for the purposes of covert search warrants, to extend the operation of preventative detention orders and prohibited contact orders and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **CHILD WELLBEING AND SAFETY AMENDMENT (CHILD SAFE STANDARDS) BILL 2015** — Mr Foley obtained leave to bring in a Bill *'for an Act to amend the **Child Wellbeing and Safety Act 2005** to provide for the Minister to make standards in relation to child safety with which certain entities must comply and to make amendments to the **Commission for Children and Young People Act 2012** and the **Education and Training Reform Act 2006** and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **EDUCATION LEGISLATION AMENDMENT (TAFE AND UNIVERSITY GOVERNANCE REFORM) BILL 2015** — Mr Merlino obtained leave to bring in a Bill *'for an Act to amend the **Education and Training Reform Act 2006** in relation to the constitution of boards of TAFE institutes and to amend various university Acts in relation to the constitution of councils of universities and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **CROWN LAND LEGISLATION AMENDMENT (CANADIAN REGIONAL PARK AND OTHER MATTERS) BILL 2015** — Ms Neville obtained leave to bring in a Bill *'for an Act to amend the **Crown Land (Reserves) Act 1978**, the **Forests Act 1958**, the **Land Act 1958**, the **Livestock Disease Control Act 1994**, the **Mineral Resources (Sustainable Development) Act 1990**, the **National Parks Act 1975** and the **Wildlife Act 1975** and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **LAND (REVOCAION OF RESERVATIONS) BILL 2015** — Ms Neville obtained leave to bring in a Bill *'for an Act to revoke permanent reservations of certain land, to provide for reservations of certain land for specified purposes and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2015** — Mr Pallas obtained leave to bring in a Bill *'for an Act to amend the **Duties Act 2000**, the **Payroll Tax Act 2007** and the **Valuation of Land Act 1960** and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **TRANSPORT ACCIDENT AMENDMENT BILL 2015** — Mr Scott obtained leave to bring in a Bill *'for an Act to amend the **Transport Accident Act 1986** to repeal certain subsections of that Act inserted in 2013 and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

11 **LOCAL GOVERNMENT AMENDMENT (FAIR GO RATES) BILL 2015** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to amend the **Local Government Act 1989** and the **Essential Services Commission Act 2001** to provide for a mechanism to set a cap on the increases in rate revenue that can be levied by a Council in a financial year, to make consequential amendments and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

12 **ROAD LEGISLATION AMENDMENT BILL 2015** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the **Road Safety Act 1986** and other Acts to provide greater flexibility in relation to the certification of analyses conducted in approved laboratories, to make minor amendments to the **Road Management Act 2004**, to make other amendments to the **Road Safety Act 1986** relating to the licensing of drivers and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

13 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Pascoe Vale South Primary School — Requesting that the Legislative Assembly supports the provision of funding for new school buildings at Pascoe Vale South Primary School, bearing 888 signatures (*Ms Garrett*)

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 484 signatures (*Mr Watt*)

Additional Public Holidays — Requesting that the Legislative Assembly calls on the Government to reconsider its decision to introduce two additional public holidays, bearing 131 signatures (*Mr Watt*)

2–18 Markham Avenue, Ashburton — Requesting that the Legislative Assembly ensures that the Government reverses its decision to overdevelop the 2–18 Markham Avenue, Ashburton site and adhere to the maximum height of nine metres, bearing 403 signatures (*Mr Watt*).

Petitions ordered to be tabled.

14 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

15 **PETITION — ADDITIONAL PUBLIC HOLIDAYS** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

16 **PETITION — 2–18 MARKHAM AVENUE, ASHBURTON** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

17 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 13 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Adoption Amendment (Adoption by Same-Sex Couples) Bill 2015

Gambling Legislation Amendment Bill 2015

Justice Legislation Amendment (Police Custody Officers) Bill 2015

Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015

Relationships Amendment Bill 2015

Victorian Energy Efficiency Target Amendment (Saving Energy, Growing Jobs) Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Financial Management Act 1994:

Reports from the Minister for Environment, Climate Change and Water that she had received the reports 2014–15 of the:

Dhelkunya Dja Land Management Board

Yorta Yorta Traditional Owner Land Management Board

Report from the Minister for Planning that he had received the Report 2014–15 of the Heritage Council of Victoria

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 55 (*Gazette G37 17 September 2015*)

Melbourne Convention and Exhibition Trust — Report 2014–15

Members of Parliament (Register of Interests) Act 1978 — Cumulative Summary of Returns as at 30 September 2015 — Ordered to be published

Metropolitan Waste and Resource Recovery Group — Report 2014–15

Parliamentary Committees Act 2003 — Government response to the Environment and Natural Resources Committee's Report on the Inquiry into Heritage Tourism and Ecotourism in Victoria

Planning and Environment Act 1987 — Notice of an approval of an amendment to the Victoria Planning Provisions — VC128

Regional Development Victoria — Report 2014–15

Sentencing Advisory Council — Report 2014–15

State Sports Centres Trust — Report 2014–15

Statutory Rules under the following Acts:

Cemeteries and Crematoria Act 2003 — SR 115

Magistrates' Court Act 1989 — SR 113

Planning and Environment Act 1987 — SR 116

Road Safety Act 1986 — SR 118

Subdivision Act 1988 — SR 117

Subordinate Legislation Act 1994 — SR 114

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 110, 111, 113

Documents under s 16B in relation to the *Transport (Compliance and Miscellaneous) Act 1983* — Determination of Specifications for Taxi-cabs

Victorian Coastal Council — Report 2014–15

Victorian Inspectorate — Reports 2014–15 under s 39 of the *Crimes (Controlled Operations) Act 2004*, s 131T of the *Fisheries Act 1995* and s 74P of the *Wildlife Act 1975* (three documents)

Victorian Institute of Forensic Medicine — Report 2014–15 (two documents)

Victorian Public Sector Commission — Report 2014–15.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Cemeteries and Crematoria Amendment (Veterans Reform) Act 2015 — Whole Act — 9 November 2015 (*Gazette S303, 13 October 2015*)

Planning and Environment Amendment (Recognising Objectors) Act 2015 — Whole Act — 12 October 2015 (*Gazette S294, 6 October 2015*).

- 18 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Criminal Organisations Control Amendment (Unlawful Associations) Bill 2015

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Bill 2015

Serious Sex Offenders (Detention and Supervision) and Other Acts Amendment Bill 2015.

- 19 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 13 October 2015, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Criminal Organisations Control Amendment (Unlawful Associations) Bill 2015

Energy Legislation Amendment (Consumer Protection) Bill 2015

Racing Amendment Bill 2015

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Bill 2015

Serious Sex Offenders (Detention and Supervision) and Other Acts Amendment Bill 2015.

- 20 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 22 October 2015:

Adoption Amendment (Adoption by Same-Sex Couples) Bill 2015

Children, Youth and Families Amendment (Aboriginal Principal Officers) Bill 2015

Gambling Legislation Amendment Bill 2015

Justice Legislation Amendment (Police Custody Officers) Bill 2015

Victorian Energy Efficiency Target Amendment (Saving Energy, Growing Jobs) Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

- 21 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 22 **GAMBLING LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (ABORIGINAL PRINCIPAL OFFICERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 46 — Wednesday 21 October 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **JUSTICE LEGISLATION FURTHER AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Children, Youth and Families Act 2005, the Constitution Act 1975, the Coroners Act 2008, the County Court Act 1958, the Court Security Act 1980, the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997, the Judicial Entitlements Act 2015, the Magistrates' Court Act 1989, the Supreme Court Act 1986, the Victims of Crime Assistance Act 1996 and the Victorian Civil and Administrative Tribunal Act 1998, to make consequential or minor amendments to other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PUBLIC HEALTH AND WELLBEING AMENDMENT (SAFE ACCESS ZONES) BILL 2015** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to amend the Public Health and Wellbeing Act 2008 to provide for safe access zones around premises at which abortions are provided, to prohibit publication and distribution of certain recordings and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Special Religious Instruction in Government Schools** — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 323, 24 and 152 signatures (*Mr Wakeling, Mr Crisp and Mr Wells respectively*)
- Greyhound Racing** — Requesting that the Legislative Assembly acts to end the cruelty of greyhound racing, bearing 534 signatures (*Ms Thomas*)
- Grand Final Eve Public Holiday** — Requesting that the Legislative Assembly calls on the Government to reverse its decision to impose the Grand Final Eve public holiday, bearing 28 signatures (*Mr Northe*).
- Petitions ordered to be tabled.
- 5 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Ferntree Gully be taken into consideration tomorrow (*Mr Wakeling*) — put and agreed to.
- 6 **PETITION — GREYHOUND RACING** — Motion made and question — That the petition presented by the Member for Macedon be taken into consideration tomorrow (*Ms Thomas*) — put and agreed to.

7 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Rowville be taken into consideration tomorrow (*Mr Wells*) — put and agreed to.

8 **PETITION — GRAND FINAL EVE PUBLIC HOLIDAY** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

9 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Department of Education and Training: Strategic Planning — Ordered to be published

Essential Services Commission — A Blueprint for Change: Local Government Rate Capping and Variation Framework Review

National Parks Act 1975 — Advice under s 11

National Rail Safety Regulator, Office of — Report 2014–15

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C218

Casey — C181, C212, C213, C216

Darebin — C138, C147

Golden Plains — C63

Greater Geelong — C265

Hobsons Bay — C108

Hume — C197, C199

Kingston — C143

Melbourne — C173, C196, C198

Monash — C124

Moreland — C123

Nillumbik — C111

South Gippsland — C77 Part 3

Wellington — C86

Yarra Ranges — C112

State Electricity Commission of Victoria — Report 2014–15.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Racing Amendment Act 2015 — Whole Act — 21 October 2015 (*Gazette S309, 20 October 2015*).

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Local Government Amendment (Improved Governance) Bill 2015 without amendment.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearings Alert Report

Family and Community Development Committee's Interim Report on the Inquiry into Abuse in Disability Services

Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2013–14.

- 13 **TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 November 2015.

- 14 **CHILD WELLBEING AND SAFETY AMENDMENT (CHILD SAFE STANDARDS) BILL 2015** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 November 2015.

- 15 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2015** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 November 2015.

- 16 **LOCAL GOVERNMENT AMENDMENT (FAIR GO RATES) BILL 2015** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 November 2015.

- 17 **EDUCATION LEGISLATION AMENDMENT (TAFE AND UNIVERSITY GOVERNANCE REFORM) BILL 2015** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 4 November 2015.
- 18 **CROWN LAND LEGISLATION AMENDMENT (CANADIAN REGIONAL PARK AND OTHER MATTERS) BILL 2015** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 4 November 2015.
- 19 **LAND (REVOCAION OF RESERVATIONS) BILL 2015** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 4 November 2015.
- 20 **ROAD LEGISLATION AMENDMENT BILL 2015** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 4 November 2015.
- 21 **TRANSPORT ACCIDENT AMENDMENT BILL 2015** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 4 November 2015.

- 22 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (ABORIGINAL PRINCIPAL OFFICERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 23 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 24 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 25 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (ABORIGINAL PRINCIPAL OFFICERS) BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 26 **VICTORIAN ENERGY EFFICIENCY TARGET AMENDMENT (SAVING ENERGY, GROWING JOBS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

- 27 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — JOB CREATION PROMISE** — The House was informed that Mr O'Brien (*Malvern*) had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Andrews Government for presiding over the loss of 7,800 full-time jobs since coming to office, and expresses its concern that, having slashed the infrastructure budget by 24 per cent, the Government will break its promise to Victorians to create 100,000 full-time jobs in its first two years.'

Mr O'Brien (*Malvern*) addressed the House — Discussion followed.

- 28 **VICTORIAN ENERGY EFFICIENCY TARGET AMENDMENT (SAVING ENERGY, GROWING JOBS) BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 29 **JUSTICE LEGISLATION AMENDMENT (POLICE CUSTODY OFFICERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 30 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.35 pm.

No 47 — Thursday 22 October 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **FISHERIES AMENDMENT BILL 2015** — Ms Allan obtained leave to bring in a Bill *for an Act to amend the Fisheries Act 1995 to establish a scheme to phase out commercial net fishing in Port Phillip Bay, to provide for a limited non-net fishery to operate there on and after 1 April 2022 and to compensate persons whose fishery licences are surrendered under, or affected by, the scheme and for other purposes*; and the Bill was read a first time and, by leave, ordered to be read a second time later this day.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 163 and 63 signatures (*Mr Walsh and Mr Blackwood respectively*).

Petitions ordered to be tabled.

- 4 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.

- 5 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Mr Blackwood*) — put and agreed to.

- 6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Australian Grand Prix Corporation — Report 2014–15

Bass Coast Health — Report 2014–15

CenITex — Report 2014–15

Financial Management Act 1994:

Reports from the Minister for Environment, Climate Change and Water that she had received the reports 2014–15 of the:

Barwon South West Waste and Resource Recovery Group
 Commissioner for Environmental Sustainability
 Gippsland Waste and Resource Recovery Group
 Grampians Central West Waste and Resource Recovery Group
 Loddon Mallee Waste and Resource Recovery Group
 North East Waste and Resource Recovery Group

Game Management Authority — Report 2014–15

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 85 (*Gazette G41, 15 October 2015*)

Melbourne Market Authority — Report 2014–15

Parliamentary Committees Act 2003 — Government response to the Rural and Regional Committee's Report on the Inquiry into the Opportunities for Increasing Exports of Goods and Services from Regional Victoria

Port of Melbourne Corporation — Report 2014–15

Public Prosecutions, Office of — Report 2014–15

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 115

Victorian Electoral Commission — Report 2014–15

Victorian Inspectorate — Report 2014–15

Victorian Responsible Gambling Foundation — Report 2014–15

West Gippsland Healthcare Group — Report 2014–15.

- 7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 10 November 2015 (*Ms Allan*) — put and agreed to.

- 8 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 9 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made and question — That so much of standing and sessional orders be suspended on Wednesday 11 November 2015 to allow the sitting to start at 2.00 pm and the order of business to be:

Question time (2.00 pm)

Formal business

Statements by members

Statements on parliamentary committee reports

Government business

Adjournment debate (7.00 pm)

(*Ms Allan*) — put, after debate, and agreed to.

- 10 **FISHERIES AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Walsh*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 5 November 2015.

- 11 **JUSTICE LEGISLATION FURTHER AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 5 November 2015.

- 12 **PUBLIC HEALTH AND WELLBEING AMENDMENT (SAFE ACCESS ZONES) BILL 2015** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 5 November 2015.

- 13 **ADOPTION AMENDMENT (ADOPTION BY SAME-SEX COUPLES) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Ms Ryan announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

- 14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 16 **ADOPTION AMENDMENT (ADOPTION BY SAME-SEX COUPLES) BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 20 October 2015 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 54

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryan; Ms Sandell; Ms Sheed; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Mr Carbines; Ms Spence.

NOES 26

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms McLeish; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **JUSTICE LEGISLATION AMENDMENT (POLICE CUSTODY OFFICERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **GAMBLING LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 19 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (ABORIGINAL PRINCIPAL OFFICERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **VICTORIAN ENERGY EFFICIENCY TARGET AMENDMENT (SAVING ENERGY, GROWING JOBS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.13 pm under sessional orders.

- 21 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.35 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 48, 49 and 50

No 48 — Tuesday 10 November 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **RETURN TO WRITS** — The Speaker announced that that he had received a return to the writs issued on 17 September 2015 which states that Richard Riordan has been elected for the Electoral District of Polwarth and Roma Britnell has been elected for the Electoral District of South-West Coast.
- 3 **MEMBERS SWORN** — Richard Riordan and Roma Britnell were then introduced and took and subscribed the oath required by law.
- 4 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 5 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 6 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2015** — Mr Pakula, on behalf of Mr Noonan, obtained leave to bring in a Bill *'for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** to provide for further offences in relation to drugs of dependence, to consequentially amend the **Confiscation Act 1997** and other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **ABORIGINAL HERITAGE AMENDMENT BILL 2015** — Ms Hutchins obtained leave to bring in a Bill *'for an Act to amend the **Aboriginal Heritage Act 2006**, the **Borrowing and Investment Powers Act 1987**, the **Cemeteries and Crematoria Act 2003** and the **Coroners Act 2008** to improve the reporting requirements in relation to Aboriginal cultural heritage, to include provisions regarding Aboriginal intangible heritage, to establish an Aboriginal Cultural Heritage Fund and to provide for the further protection of Aboriginal cultural heritage and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **KARDINIA PARK STADIUM BILL 2015** — Mr Eren obtained leave to bring in a Bill *'for an Act to establish the **Kardinia Park Stadium Trust** to administer certain land and facilities at Kardinia Park, to provide the functions and powers of the Trust, to provide power to re-reserve land at Kardinia Park, and to make consequential amendments to the **Geelong (Kardinia Park) Land Act 1950** and other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Special Religious Instruction in Government Schools** — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 23 and 814 signatures (*Ms Asher and Mr Angus respectively*)
 - Grand Final Eve Public Holiday** — Requesting that the Legislative Assembly calls on the Government to reverse its decision to impose the Grand Final Eve public holiday, bearing 144 signatures (*Mr Burgess*).

Petitions ordered to be tabled.

- 10 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.

11 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the Investigation into Allegations made against the Auditor-General, together with an appendix.

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 14 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Adoption Amendment (Adoption by Same-Sex Couples) Bill 2015
 Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015
 Crown Land Legislation Amendment (Canadian Regional Park and Other Matters) Bill 2015
 Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015
 Fisheries Amendment Bill 2015
 Justice Legislation Amendment (Police Custody Officers) Bill 2015
 Justice Legislation Further Amendment Bill 2015
 Land (Revocation of Reservations) Bill 2015
 Local Government Amendment (Fair Go Rates) Bill 2015
 Public Health and Wellbeing Amendment (Safe Access Zones) Bill 2015
 Relationships Amendment Bill 2015
 Road Legislation Amendment Bill 2015
 State Taxation Acts Further Amendment Bill 2015
 Terrorism (Community Protection) Amendment Bill 2015
 Transport Accident Amendment Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Australian Health Practitioner Regulation Agency — Report 2014–15

City West Water Corporation — Report 2014–15

Commission for Children and Young People — Report 2014–15

Consumer Affairs Victoria — Report 2014–15 — Ordered to be published

Court Services Victoria — Report 2014–15

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Albert Park Reserve

Kings Domain Reserve and Alexandra Park Reserve

Mordialloc–Mentone Beach Park

Mordialloc Creek and Mordialloc–Mentone Beach Park Reserve

Orders under s 17D granting leases over:
Albert Park Reserve (two orders)
Flemington and Kensington Reserve
Mordialloc–Mentone Beach Park (two orders)
Victoria Park Reserve

Education and Training, Department of — Report 2014–15

Environment, Land, Water and Planning, Department of — Report 2014–15

Financial Management Act 1994:

Financial Report for the State of Victoria 2014–15, incorporating Quarterly Financial Report No 4 —
Ordered to be published

Report from the Minister for Environment, Climate Change and Water that she had received the
Report 2014–15 of the Goulburn Valley Waste and Resource Recovery Group

Reports from the Minister for Planning that he had received the reports 2014–15 of the:

Architects Registration Board of Victoria

Surveyors Registration Board of Victoria

Geoffrey Gardiner Dairy Foundation Ltd — Report 2014–15

Judicial College of Victoria — Report 2014–15

Justice and Regulation, Department of — Report 2014–15

Melbourne Water Corporation — Report 2014–15

National Environment Protection Council — Report 2013–14

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning
Schemes:

Boroondara — C195 Part 1, C212 Part 1

Brimbank — C181

Casey — C209

Greater Geelong — C355

Greater Shepparton — C178

Hobsons Bay — C96

Knox — C132

Melton — C119

Nillumbik — C91

Victoria Planning Provisions — VC101

Whitehorse — C110

Whittlesea — C181

Yarra — C173 Part 1

Yarra Ranges — C144

Professional Standards Council — Report 2014–15 (two documents)

Residential Tenancies Bond Authority — Report 2014–15

South East Water Corporation — Report 2014–15

Statutory Rules under the following Acts:

Conveyancers Act 2006 — SR 122

Drugs, Poisons and Controlled Substances Act 1981 — SR 124

Land Conservation (Vehicle Control) Act 1972 — SR 123

Local Government Act 1989 — SR 119

Road Safety Act 1986 — SRs 120, 121, 125

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 118, 119, 120, 121

Documents under s 16B in relation to the:

Gambling Regulation Act 2003 — Ministerial Direction under s 3.2.3

Workplace Injury Rehabilitation and Compensation Act 2013 — Ministerial Direction — Return to Work Direction — information about the employment obligation period

Treasury and Finance, Department of — Report 2014–15

Treasury Corporation of Victoria — Report 2014–15

VicForests — Report 2014–15

Victoria Grants Commission — Report year ended 31 August 2015

Victoria State Emergency Services Authority — Report 2014–15

Victorian Commission for Gambling and Liquor Regulation — Report 2014–15

Victorian Law Reform Commission — Report 2014–15 — Ordered to be published

Yarra Valley Water Corporation — Report 2014–15.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Local Government Legislation Amendment (Environmental Upgrade Agreements) Act 2015 — Whole Act — 1 November 2015 (*Gazette S317, 27 October 2015*)

National Electricity (Victoria) Amendment Act 2015 — Whole Act — 1 November 2015 (*Gazette S317, 27 October 2015*).

- 12 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

National Parks Amendment (No 99 Year Leases) Bill 2015

Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015

Victims of Crime Commissioner Bill 2015.

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 27 October 2015, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Local Government Amendment (Improved Governance) Bill 2015

National Parks Amendment (No 99 Year Leases) Bill 2015

Public Health and Wellbeing Amendment (No Jab, No Play) Bill 2015

Victims of Crime Commissioner Bill 2015.

- 14 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Crown Land Legislation Amendment (Canadian Regional Park and Other Matters) Bill 2015
 Fisheries Amendment Bill 2015
 Justice Legislation Further Amendment Bill 2015
 Local Government Amendment (Fair Go Rates) Bill 2015
 State Taxation Acts Further Amendment Bill 2015.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 12 November 2015:

Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015
 Fisheries Amendment Bill 2015
 Local Government Amendment (Fair Go Rates) Bill 2015
 Public Health and Wellbeing Amendment (Safe Access Zones) Bill 2015
 Relationships Amendment Bill 2015
 State Taxation Acts Further Amendment Bill 2015
 Terrorism (Community Protection) Amendment Bill 2015

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 17 **RELATIONSHIPS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Under standing orders, Mr Hibbins announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **LOCAL GOVERNMENT AMENDMENT (FAIR GO RATES) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Richardson, Northcote*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 49 — Wednesday 11 November 2015

- 1 The House met in accordance with the terms of the resolution of Thursday 22 October 2015 — The Speaker took the Chair and read the Prayer.

- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 127 signatures (*Mr Angus*)

Grand Final Eve Public Holiday — Requesting that the Legislative Assembly calls on the Government to reverse its decision to impose the Grand Final Eve public holiday, bearing 66 signatures (*Mr Angus*)

Orchard Grove Primary School Funding — Requesting that the Legislative Assembly provides adequate funding to Orchard Grove Primary School to modernise the school, and in particular to upgrade the administrative and staff facilities, including the toilet and first aid facilities for both staff and students, bearing 19 signatures (*Mr Angus*)

Vermont Primary School Funding — Requesting that the Legislative Assembly provides adequate funding to Vermont Primary School to rebuild its central administration and classroom wing, bearing 22 signatures (*Mr Angus*).

Petitions ordered to be tabled.

- 5 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 6 **PETITION — GRAND FINAL EVE PUBLIC HOLIDAY** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 7 **PETITION — ORCHARD GROVE PRIMARY SCHOOL FUNDING** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 8 **PETITION — VERMONT PRIMARY SCHOOL FUNDING** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 9 **PETITION — GRAND FINAL EVE PUBLIC HOLIDAY** — Motion made and question — That the petition presented by the Member for Hastings on 10 November 2015 be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 10 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents in accordance with an Act of Parliament:
- Statutory Rules under the following Acts:
- Parliamentary Salaries and Superannuation Act 1968* — SR 127
Subordinate Legislation Act 1994 — SR 126
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rules 114, 122, 123, 127
- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:
- Prevention of Cruelty to Animals Amendment Bill 2015
 Victorian Energy Efficiency Target Amendment (Saving Energy, Growing Jobs) Bill 2015
 Wrongs Amendment Bill 2015.
- 12 **FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 5 May 2015 be amended to extend the final reporting date for the Family and Community Development Committee's inquiry into abuse in disability services to no later than 30 April 2016 (*Ms Allan*) — put and agreed to.
- 13 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended on Thursday 12 November 2015 to allow the Members for Polwarth and South-West Coast to make inaugural speeches for a maximum of 15 minutes each immediately after statements by members (*Ms Allan*) — put and agreed to.
- 14 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 15 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the Investigation into Allegations made against the Auditor-General

Public Accounts and Estimates Committee's 2015–16 Estimates Hearings Alert Report.

- 16 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2015** — *Mr Pakula, on behalf of Mr Noonan, tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 25 November 2015.

- 17 **ABORIGINAL HERITAGE AMENDMENT BILL 2015** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 25 November 2015.

- 18 **KARDINIA PARK STADIUM BILL 2015** — *Mr Eren tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Eren*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 25 November 2015.

- 19 **TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **CHILD WELLBEING AND SAFETY AMENDMENT (CHILD SAFE STANDARDS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 50 — Thursday 12 November 2015

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Wodonga City Council — Requesting that the Legislative Assembly conducts a complete review into Wodonga City Council's financial, business and management practices, including councillors' and officers' allowances and expenses, bearing 1036 signatures (*Mr Tilley*)

Additional Public Holidays — Requesting that the Legislative Assembly calls on the Government to reconsider its decision to introduce two additional public holidays, bearing 46 signatures (*Mr Watt*)

2–18 Markham Avenue, Ashburton — Requesting that the Legislative Assembly ensures that the Government reverses its decision to overdevelop the 2–18 Markham Avenue, Ashburton site and adhere to the maximum height of nine metres, bearing 55 signatures (*Mr Watt*)

C153 Proposed Planning Permit — Requesting that the Legislative Assembly calls on the Minister for Planning to reject amendment C153 and the proposed planning permit for 310 dwellings at 15–31 Hay Street, Box Hill South, bearing 39 signatures (*Mr Watt*)

Woori Yallock Primary School — Requesting that the Legislative Assembly urges the Government to provide crucial funds for electronic 40km/h speed limit signs at Woori Yallock Primary School to ensure the safety of local school children, bearing 250 signatures (*Ms McLeish*)

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 115, 112 and 50 signatures (*Mr Watt, Mr Northe and Mr Smith, Warrandyte respectively*)

Grand Final Eve Public Holiday — Requesting that the Legislative Assembly calls on the Government to reverse its decision to impose the Grand Final Eve public holiday, bearing 51 signatures (*Mr Northe*)

Hanson Garfield North Quarry in Bunyip North — Requesting that the Legislative Assembly asks that the Minister for Planning requests an Environment Effects Statement for the proposed Hanson Garfield North Quarry in Bunyip North, bearing 406 signatures (*Mr Blackwood*)

Big Game Hunting of Endangered Animals — Requesting that the Legislative Assembly acknowledges that certain animals need to be protected from hunting for the purposes of sport, bearing 308 signatures (*Ms Hutchins*)

Warrandyte Police Station — Requesting that the Legislative Assembly advocates for increased resources at Warrandyte Police Station, as well as increased hours of operation and raise these matters with the Chief Commissioner, bearing 1174 signatures (*Mr Smith, Warrandyte*).

Petitions ordered to be tabled.

- 3 **PETITION — HANSON GARFIELD NORTH QUARRY IN BUNYIP NORTH** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Mr Blackwood*) — put and agreed to.
- 4 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.
- 5 **PETITION — WARRANDYTE POLICE STATION** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.
- 6 **PETITION — WOORI YALLOCK PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 7 **PETITION — ADDITIONAL PUBLIC HOLIDAYS** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 8 **PETITION — 2–18 MARKHAM AVENUE, ASHBURTON** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 9 **PETITION — C153 PROPOSED PLANNING PERMIT** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 10 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 11 **PETITION — WODONGA CITY COUNCIL** — Motion made and question — That the petition presented by the Member for Benambra be taken into consideration tomorrow (*Mr Tilley*) — put and agreed to.
- 12 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 13 **PETITION — GRAND FINAL EVE PUBLIC HOLIDAY** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

14 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the 2015–16 Budget Estimates, together with appendices, extract from the proceedings, minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract from the proceedings and minority report published.

ENVIRONMENT AND NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Ms Halfpenny, Chair, presented a special report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the CFA Training College at Fiskville — Special Report on the Production of Documents, together with an appendix.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Public Hospitals: 2014–15 Audit Snapshot — Ordered to be published

Community Visitors — Report 2014–15 under s 35 of the *Disability Act 2006*, s 224 of the *Mental Health Act 2014* and s 195 of the *Supported Residential Services (Private Proprietors) Act 2010* — Ordered to be published

Coronial Council of Victoria — Report 2014–15

Crimes (Assumed Identities) Act 2004 — Report 2014–15 under s 31

Crimes (Controlled Operations) Act 2004 — Report 2014–15 of the Victorian Inspectorate under s 39

Project Development and Construction Management Act 1994 — Nomination order under s 6, application order under s 8 and a statement under s 9 of reasons for making a nomination order (three documents)

Public Transport Development Authority — Report 2014–15

Shrine of Remembrance — Report 2014–15

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 116, 117

Surveillance Devices Act 1999 — Report 2014–15 under s 30L

Terrorism (Community Protection) Act 2003:

Report 2014–15 under ss 13, 13ZR and 21M

Report 2014–15 of the Independent Broad-based Anti-corruption Commission under s 13ZR

Tourism Victoria — Report 2014–15

Wildlife Act 1975 — Report 2014–15 of the Victorian Inspectorate under s 74P.

15 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 24 November 2015 (*Ms Allan*) — put and agreed to.

16 **STATEMENTS BY MEMBERS** — Statements by members were made.

17 **INAUGURAL SPEECHES** — In accordance with the resolution of the House on Wednesday 11 November 2015, the Members for Polwarth and South-West Coast made their inaugural speeches.

18 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

19 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

20 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

21 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

22 **PUBLIC HEALTH AND WELLBEING AMENDMENT (SAFE ACCESS ZONES) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Eren*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

23 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Children, Youth and Families Amendment (Aboriginal Principal Officers) Bill 2015 without amendment.

24 **FISHERIES AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Walsh announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the outcome of the Fisheries Research and Development Corporation funded project "The social drivers and implications of conducting an ecological risk assessment of both recreational and commercial fishing — a case study from Port Phillip Bay" is available' (*Ms Sandell*) — and, after debate —

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 10 November 2015 had expired.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 82

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Pesutto; Mr Riordan; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 82

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Pesutto; Mr Riordan; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 25 **RELATIONSHIPS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 26 **LOCAL GOVERNMENT AMENDMENT (FAIR GO RATES) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 82

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Pesutto; Mr Riordan; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 27 **TERRORISM (COMMUNITY PROTECTION) AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 28 **CHILD WELLBEING AND SAFETY AMENDMENT (CHILD SAFE STANDARDS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 29 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 30 **PUBLIC HEALTH AND WELLBEING AMENDMENT (SAFE ACCESS ZONES) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 69

Ms Allan; Mr Andrews; Ms Asher; Ms Blandthorn; Ms Britnell; Mr Brooks; Mr Bull (*Sunbury*); Mr Burgess; Mr Carroll; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Pesutto; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryan; Ms Sandell; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Victoria; Mr Walsh; Ms Ward; Mr Wells; Ms Williams; Mr Wynne. Tellers: Mr Carbines; Ms Spence.

NOES 13

Mr Angus; Mr Bull (*Gippsland East*); Mr Dixon; Mr Gidley; Mr Hodgett; Mr Riordan; Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Watt. Tellers: Mr Blackwood; Mr Clark.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 31 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2015** — The Speaker announced that he had received a report from the Clerk that he has made the following correction in the Bill:

In Clause 8, line 25, he has inserted 'subsection' before '(3)'.

Business having been interrupted at 5.26 pm under sessional orders.

- 32 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.53 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 51, 52 and 53

No 51 — Tuesday 24 November 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **DEATH OF HAYDEN KEVIN SHELL** — The Speaker announced the death of Hayden Kevin Shell, Member of the Legislative Assembly for the Electoral Districts of Geelong West from 1982 to 1985 and Geelong from 1985 to 1992; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 5 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN INSTITUTE OF TEACHING) BILL 2015** — Mr Merlino obtained leave to bring in a Bill '*for an Act to amend the **Education and Training Reform Act 2006** to provide power for the Victorian Institute of Teaching to suspend the registration of a registered teacher if there is an unacceptable risk of harm to children, to change the membership requirements of the Council of the Victorian Institute of Teaching and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **BAIL AMENDMENT BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Bail Act 1977** in relation to terrorism related offences, serious offences, failure to answer bail and children, to amend the **Children, Youth and Families Act 2005** in relation to the commencement of criminal proceedings against children and youth offending information, to make consequential amendments to certain Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2015** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to amend the **Assisted Reproductive Treatment Act 2008** to enable persons born as the result of the use of gametes donated before 1 January 1998 to obtain information about donors without consent, to provide for the lodgement of contact preferences, to further provide for the keeping of the Central Register and the Voluntary Register, to make consequential amendments to the **Births, Deaths and Marriages Registration Act 1996** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **CONSUMER ACTS AND OTHER ACTS AMENDMENT BILL 2015** — Ms Garrett obtained leave to bring in a Bill '*for an Act to amend various **Consumer Acts**, the **Property Law Act 1958** and the **State Trustees (State Owned Company) Act 1994** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **OCCUPATIONAL LICENSING NATIONAL LAW REPEAL BILL 2015** — Mr Pallas obtained leave to bring in a Bill '*for an Act to repeal the **Occupational Licensing National Law Act 2010** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Sanctuary Lakes — Requesting that the Legislative Assembly supports the recognition of Sanctuary Lakes as a suburb, bearing 2307 signatures (*Ms Hennessy*)

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 38, 17, 424 and 197 signatures (*Ms Asher, Mr O'Brien, Gippsland South, Ms Kealy and Mr Katos respectively*)

Emerald SES Station — Requesting that the Legislative Assembly urges the Government to provide funds for a new unit for the Emerald SES station, bearing 974 signatures (*Mr Battin*)

Whitelaws Track Site — Requesting that the Legislative Assembly removes the Whitelaws track site from the list of potential sites pursuant to the statewide waste and resource recovery and infrastructure plan, bearing 515 signatures (*Mr O'Brien, Gippsland South*)

South Gippsland Landfill — Requesting that the Legislative Assembly calls on the State Government to protect South Gippsland from becoming a landfill for south east Melbourne, bearing 849 signatures (*Mr O'Brien, Gippsland South*).

Petitions ordered to be tabled.

11 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

12 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

13 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

14 **PETITION — WHITELAWS TRACK SITE** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

15 **PETITION — SOUTH GIPPSLAND LANDFILL** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

16 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 15 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Aboriginal Heritage Amendment Bill 2015

Drugs, Poisons and Controlled Substances Amendment Bill 2015

Kardinia Park Stadium Bill 2015

Public Health and Wellbeing Amendment (Safe Access Zones) Bill 2015

Terrorism (Community Protection) Amendment Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Report on the Annual Financial Report of the State of Victoria, 2014–15 — Ordered to be published

Financial Management Act 1994 — 2015–16 Quarterly Financial Report for the State of Victoria for the period ended 30 September 2015

National Health Funding Pool — Report 2014–15

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — C73
 Campaspe — GC35
 Gannawarra — C30, GC35
 Glen Eira — C141, C142
 Greater Bendigo — GC35
 Greater Shepparton — GC35
 Horsham — C63
 Loddon — GC35
 Melbourne — C266
 Moira — GC35
 Moorabool — C65
 Moreland — C71
 Port Phillip — C97
 South Gippsland — C105
 Stonnington — C177
 Strathbogie — C32
 Surf Coast — C109
 Swan Hill — GC35
 Whitehorse — C130, C174
 Yarra — C133

Statutory Rule under the *Tobacco Act 1987* — SR 128

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 124, 126, 129, 130, 134

Documents under s 16B in relation to the *Transport (Compliance and Miscellaneous) Act 1983* — Driver Accreditation Application, Test, Course and Renewal Requirements

Victorian Industry Participation Policy — Report 2014–15.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Firearms Amendment (Trafficking and Other Measures) Act 2015 — Whole Act — 1 December 2015 (*Gazette S349, 18 November 2015*)

Local Government Amendment (Improved Governance) Act 2015 — Part 1 and ss 6, 7, 9, 11, 64, 65, 77, 90 and 91 — 18 November 2015 (*Gazette S349, 18 November 2015*).

- 17 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:
- Gambling Legislation Amendment Bill 2015
Justice Legislation Amendment (Police Custody Officers) Bill 2015.
- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Adoption Amendment (Adoption by Same-Sex Couples) Bill 2015 with an amendment.
- Ordered — That the amendment be taken into consideration tomorrow.
- 19 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 18 November 2015 given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:
- Children, Youth and Families Amendment (Aboriginal Principal Officers) Bill 2015
Gambling Legislation Amendment Bill 2015
Justice Legislation Amendment (Police Custody Officers) Bill 2015
Prevention of Cruelty to Animals Amendment Bill 2015
Victorian Energy Efficiency Target Amendment (Saving Energy, Growing Jobs) Bill 2015
Wrongs Amendment Bill 2015.
- 20 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:
- Aboriginal Heritage Amendment Bill 2015
Drugs, Poisons and Controlled Substances Amendment Bill 2015
Kardinia Park Stadium Bill 2015.
- 21 **LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 5 May 2015 be amended to extend the reporting date for the Law Reform, Road and Community Safety Committee's inquiry into fuel drive offs to no later than 31 March 2016 (*Ms Allan*) — put and agreed to.
- 22 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders are suspended on Thursday 26 November 2015 so as to allow:
- (1) The sitting of the House to be suspended at the conclusion of statements by members;
 - (2) The Speaker to take the chair at 10.30 am, interrupt business, and the House to proceed in accordance with paragraphs (3) to (11);
 - (3) The House to invite Ms Rosie Batty to attend on the floor of the House at 10.30 am;
 - (4) Legislative Council members to be admitted onto the floor of the House at 10.30 am and to remain until the conclusion of Ms Batty's address;
 - (5) The Speaker, Premier and Leader of the Opposition to each make a welcoming address;
 - (6) Ms Batty to give an address;
 - (7) At the conclusion of Ms Batty's address, and after Legislative Council members have left the Chamber, Kristy McKellar, Joumanah el Matrah, Muriel Bamblett, Graham Ashton, Annette

Gillespie, and Rodney Vlasis to be admitted onto the floor of the House to each make an address;

- (8) At the conclusion of all the addresses in paragraph (7) and after all guests have left the floor of the House, a minister to move a motion to take note of the addresses;
- (9) The Speaker to interrupt business at the time designated for the allocation of time under the government business program;
- (10) The Speaker to interrupt business at 5.00 pm for the adjournment under Sessional Order 3;
- (11) Questions without notice and constituency questions to be omitted —

(*Ms Allan*) — and, after debate —

Amendment proposed — That the following words be added to the motion — 'That the House sits for an additional day on Friday 27 November 2015, with the completion time for the government business program to be extended accordingly and the business for that day be as set out in Sessional Order 17(3)' — (*Mr Clark*) — and, after debate —

Question — That the amendment be agreed to — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Original question — put and agreed to.

- 23 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 26 November 2015:

Drugs, Poisons and Controlled Substances Amendment Bill 2015
 Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015
 Justice Legislation Further Amendment Bill 2015
 Road Legislation Amendment Bill 2015
 Transport Accident Amendment Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

- 24 **STATEMENTS BY MEMBERS** — Statements by members were made.

25 **ADDRESS BY MS ROSIE BATTY** — Motion made and question —

(1) That:

- (a) The Legislative Assembly invites Members of the Legislative Council to attend in the Legislative Assembly Chamber on Thursday 26 November 2015 at 10.30 am to hear an address by Ms Rosie Batty;
- (b) The lower public gallery on the non-Government side of the House is taken to be part of the Legislative Assembly Chamber for the duration of the address to provide additional seating for Members of the Legislative Council;
- (c) The Speaker of the Legislative Assembly will chair the address, and the conduct of proceedings will be in accordance with the standing and sessional orders of the Legislative Assembly; and

(2) A message be sent to the Legislative Council informing them accordingly —

(Mr Noonan) — put and agreed to.

26 **EDUCATION LEGISLATION AMENDMENT (TAFE AND UNIVERSITY GOVERNANCE REFORM) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Mr Pakula)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

27 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 4 inclusive, be postponed until later this day.

28 **TRANSPORT ACCIDENT AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned *(Mr Southwick)* — put and agreed to.

Ordered — That the debate be adjourned until later this day.

29 **ROAD LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

30 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.26 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 52 — Wednesday 25 November 2015

1 The Speaker took the Chair and read the Prayer.

2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 215 signatures (*Ms Staley*).

Ordered to be tabled.

3 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

4 **PETITION — EMERALD SES STATION** — Motion made and question — That the petition presented by the Member for Gembrook on 24 November 2015 be taken into consideration tomorrow (*Mr Battin*) — put and agreed to.

5 **DOCUMENTS**

HAZELWOOD MINE FIRE INQUIRY IMPLEMENTATION MONITOR REPORT 2014–15 — Tabled by leave (*Ms Hennessy*).

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Local Government: 2014–15 Audit Snapshot — Ordered to be published

Economic Development, Jobs, Transport and Resources, Department of — Report 2014–15, together with an explanation for the delay (three documents)

Ombudsman — Investigation of a protected disclosure complaint regarding allegations of improper conduct by councillors associated with political donations — Ordered to be published

Statutory Rules under the following Acts:

Building Act 1993 — SR 134

Charities Act 1978 — SR 131

City of Melbourne Act 2001 — SR 133

County Court Act 1958 — SRs 129, 130

Food Act 1984 — SR 132

Road Safety Act 1986 — SR 135

Subordinate Legislation Act 1994:

Documents under s 16B in relation to the:

Education and Training Reform Act 2006 — Ministerial Direction No 145

Racing Act 1958 — Greyhound Racing Victoria — Rule Amendments

Taxi Services Commission — Report 2014–15

Victorian Civil and Administrative Tribunal — Report 2014–15.

- 6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Fisheries Amendment Bill 2015
State Taxation Acts Further Amendment Bill 2015.

- 7 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the Investigation into Allegations made against the Auditor-General

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates.

- 9 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN INSTITUTE OF TEACHING) BILL 2015** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 December 2015.

- 10 **BAIL AMENDMENT BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 December 2015.

- 11 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2015** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 December 2015.

- 12 **CONSUMER ACTS AND OTHER ACTS AMENDMENT BILL 2015** — *Ms Garrett tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
Motion made and question proposed — That this Bill be now read a second time (*Ms Garrett*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 December 2015.
- 13 **OCCUPATIONAL LICENSING NATIONAL LAW REPEAL BILL 2015** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 December 2015.
- 14 **ROAD LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.
- 15 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 16 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 17 **ROAD LEGISLATION AMENDMENT BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.
- 18 **JUSTICE LEGISLATION FURTHER AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.
- 19 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.
- 20 **JUSTICE LEGISLATION FURTHER AMENDMENT BILL 2015** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 53 — Thursday 26 November 2015

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Economic abuse under Family Violence Protection Act 2008 — Requesting that the Legislative Assembly amends the *Family Violence Protection Act 2008* s 6 titled 'Meaning of Economic Abuse, Examples', to add the words 'Dowry or Coercive demands for gifts or cash in the context of a new marriage (up to 7 years)', bearing 125 signatures (*Ms Victoria*)

Lentil As Anything at Abbotsford Convent — Requesting that the Legislative Assembly asks the Abbotsford Convent Foundation to keep the pay-as-you-feel restaurant, Lentil As Anything, at the Convent, bearing 10855 signatures (*Mr Perera*)

Pyalong Primary School portable classroom — Requesting that the Legislative Assembly calls on the Government to reverse the decision to strip Pyalong Primary School of its portable building, bearing 236 signatures (*Ms Ryan*)

Murchison Primary School portable classroom — Requesting that the Legislative Assembly calls on the Government to reverse the decision to strip Murchison Primary School of its portable building, bearing 546 signatures (*Ms Ryan*)

Supported playgroups in rural areas — Requesting that the Legislative Assembly retains the current guidelines for running supported playgroups in rural areas, bearing 59 signatures (*Ms Staley*).

Petitions ordered to be tabled.

- 3 **PETITION — SUPPORTED PLAYGROUPS IN RURAL AREAS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

- 4 **PETITION — LENTIL AS ANYTHING AT ABBOTSFORD CONVENT** — Motion made and question — That the petition presented by the Member for Cranbourne be taken into consideration tomorrow (*Mr Perera*) — put and agreed to.

- 5 **PETITION — PYALONG PRIMARY SCHOOL PORTABLE CLASSROOM** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 6 **PETITION — MURCHISON PRIMARY SCHOOL PORTABLE CLASSROOM** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 7 **PETITION — ECONOMIC ABUSE UNDER FAMILY VIOLENCE PROTECTION ACT 2008** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.
- 8 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document in accordance with an Act of Parliament:

Linking Melbourne Authority — Report 2014–15, together with an explanation of the delay.

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Requesting that the Legislative Assembly grants leave to the Minister for Energy and Resources, the Honourable Lily D'Ambrosio, MP, to appear before the Legislative Council Environment and Planning Committee to give evidence and answer questions in relation to the Committee's inquiry into onshore unconventional gas.

Motion made and question — That the message be taken into consideration tomorrow (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 8 December 2015 (*Ms Allan*) — put and agreed to.
- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.

Business having been interrupted at 10.30 am under the resolution of the House of 24 November 2015.

- 12 **ADDRESS BY MS ROSIE BATTY** — In accordance with the resolution of the House on 24 November 2015, the Speaker welcomed members of the Legislative Council.

The Speaker announced that the time had arrived to hear the address by Ms Rosie Batty.

The Speaker made some welcoming remarks, and invited the Premier and Leader of the Opposition to address the House.

The Speaker invited Ms Rosie Batty to address the House.

Ms Rosie Batty addressed the House on family violence.

The Speaker thanked Ms Batty for her address, thanked the Council members for their attendance, and advised Council members would now withdraw.

- 13 **ADDRESSES BY EXPERTS ON FAMILY VIOLENCE** — In accordance with the resolution of the House on 24 November 2015, the Speaker welcomed Ms Kristy McKellar, Ms Joumanah el Matrah, Professor Muriel Bamblett, Chief Commissioner Graham Ashton AM, Ms Annette Gillespie and Mr Rodney Vlasis, and invited them to address the House.

The guests addressed the House on family violence.

The Speaker thanked the guest speakers for addressing the House.

The guests then withdrew from the House.

- 14 **ADDRESSES ON FAMILY VIOLENCE** — Motion made and question proposed — That this House takes note of the addresses regarding the prevention of family violence, led by Ms Rosie Batty, on 26 November 2015 (*Ms Richardson, Northcote*) — and, after debate —

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 24 November 2015 had expired.

- 15 **ROAD LEGISLATION AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 83

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Riordan; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **JUSTICE LEGISLATION FURTHER AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 18 **EDUCATION LEGISLATION AMENDMENT (TAFE AND UNIVERSITY GOVERNANCE REFORM) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **TRANSPORT ACCIDENT AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.12 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.40 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 54, 55 and 56

No 54 — Tuesday 8 December 2015

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Domestic Building Contracts Act 1995** and the **Building Act 1993** to enhance consumer protection in relation to domestic building work and to otherwise improve the operation of those Acts, to make consequential amendments to the **Victorian Civil and Administrative Tribunal Act 1998** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **RACING AND OTHER ACTS AMENDMENT (GREYHOUND RACING AND WELFARE REFORM) BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Racing Act 1958** in relation to Greyhound Racing Victoria, the GRV Racing Appeals and Disciplinary Board, the Racing Integrity Commissioner, the use of animals as lures in greyhound races, certain enforcement powers and the use or disclosure of information, to amend the **Domestic Animals Act 1994** in relation to codes of practice for the keeping of certain greyhounds and fees to be given by Greyhound Racing Victoria to the Treasurer, to amend the **Prevention of Cruelty to Animals Act 1986** in relation to the time for charging certain offences under that Act and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **JUDICIAL COMMISSION OF VICTORIA BILL 2015** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Constitution Act 1975** to establish the Judicial Commission of Victoria under that Act, to provide for investigations into judicial officers and non-judicial members of VCAT, to make consequential and other amendments to other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **ROOMING HOUSE OPERATORS BILL 2015** — Ms Garrett obtained leave to bring in a Bill '*for an Act to improve the operation of rooming houses by establishing a licensing scheme for rooming house operators and to make consequential amendments to the **Australian Consumer Law and Fair Trading Act 2012**, the **Business Licensing Authority Act 1998**, the **Estate Agents Act 1980** and the **Residential Tenancies Act 1997** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **NATIONAL ELECTRICITY (VICTORIA) FURTHER AMENDMENT BILL 2015** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to amend the **National Electricity (Victoria) Act 2005** to apply in Victoria certain provisions of the National Electricity Law and to amend the National Electricity Rules as in force in Victoria to implement certain retail customer connection arrangements and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 9 **GENE TECHNOLOGY AMENDMENT BILL 2015** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to amend the **Gene Technology Act 2001** following the enactment of the **Gene Technology Amendment Act 2015** of the Commonwealth and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **ACCESS TO MEDICINAL CANNABIS BILL 2015** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to provide for medicinal use of products derived from cannabis by establishing a scheme for the lawful cultivation of cannabis for those products, the lawful manufacture of those products and the lawful use of those products by a limited class of Victorians, to consequentially amend the **Drugs, Poisons and Controlled Substances Act 1981** and to make related amendments to certain other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 11 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (A STRONGER SYSTEM) BILL 2015** — Ms Allan obtained leave to bring in a Bill '*for an Act to amend the **Independent Broad-based Anti-corruption Commission Act 2011**, the **Audit Act 1994**, the **Ombudsman Act 1973**, the **Public Interest Monitor Act 2011** and the **Victorian Inspectorate Act 2011** to implement a stronger system of integrity and accountability, to consequentially amend certain other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 12 **TRANSPARENCY IN GOVERNMENT BILL 2015** — Ms Allan obtained leave to bring in a Bill '*for an Act to facilitate regular public reporting of performance related data in relation to certain emergency and health services and to ensure transparency in relation to the delivery of those services and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 13 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Car Parking Removal on Sydney Road** — Requesting that the Legislative Assembly does not allow the removal of car parking on Sydney Road, Brunswick, bearing 1076 signatures (*Ms Garrett*)
- Women's Refuges** — Requesting that the Legislative Assembly provides additional funding for women's refuges in the western suburbs, bearing 1571 signatures (*Mr Nardella*).
- Petitions ordered to be tabled.
- 14 **PETITION — WOMEN'S REFUGES** — Motion made and question — That the petition presented by the Member for Melton be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 15 **DOCUMENTS**
- ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — Mr Angus, Chair, presented a report from the Accountability and Oversight Committee on Victorian Oversight Agencies 2014–15, together with appendices.
- Ordered to be tabled and published.
- STANDING ORDERS COMMITTEE** — Mr Brooks presented an interim report from the Standing Orders Committee on the inquiry into sitting hours and operation of the House.
- Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 16 of 2015 from the Scrutiny of Acts and Regulations Committee on the:

Aboriginal Heritage Amendment Bill 2015
 Assisted Reproductive Treatment Amendment Bill 2015
 Bail Amendment Bill 2015
 Consumer Acts and Other Acts Amendment Bill 2015
 Drugs, Poisons and Controlled Substances Amendment Bill 2015
 Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015
 Occupational Licensing National Law Repeal Bill 2015
 Notice of Amendments to Australian Rules of Harness Racing (ARHR) and Australian Trotting Stud Book Regulations (ATSBR)

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Responses to Performance Audit Recommendations: 2012–13 and 2013–14 — Ordered to be published

Coroners Court of Victoria — Report 2014–15

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Anglesea Riverbank Reserve

Duties Act 2000 — Reports 2014–15 of exemptions and refunds under ss 250B and 250DD (two documents)

Financial Management Act 1994 — Budget Update 2015–16

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — C34
 Casey — C217
 East Gippsland — C124
 Hobsons Bay — C102 Part 1
 Knox — C133, C138
 Melbourne — C283
 Moonee Valley — C156
 Victoria Planning Provisions — VC107
 Whitehorse — C158
 Wodonga — C106
 Yarra — C199, C208

Statutory Rules under the following Acts:

Corrections Act 1986 — SRs 140, 145
Crimes Act 1958 — SRs 137, 138
Domestic Animals Act 1994 — SR 136
Gambling Regulation Act 2003 — SR 139
Mental Health Act 2014 — SR 141
Sentencing Act 1991 — SR 143

Supreme Court Act 1986 — SRs 142, 143, 144

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 125, 128, 132, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144

Documents under s 16B in relation to the:

Education and Training Reform Act 2006 — Ministerial Direction MD146 — Standards for Registered Training Organisations

Gambling Regulation Act 2003 — Ministerial Determination under s 3.8A.19A

Wodonga Institute of TAFE — Report 2014 (*in lieu of report previously tabled on Thursday 16 April 2015*).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Education and Training Reform Amendment (Miscellaneous) Act 2015 — Remaining provisions — 1 December 2015 (*Gazette S363, 24 November 2015*)

Mental Health Amendment Act 2015 — Remaining provisions — 25 November 2015 (*Gazette S363, 24 November 2015*)

Serious Sex Offenders (Detention and Supervision) and Other Acts Amendment Act 2015 — Division 1 of Part 2, and ss 42, 44 and 45 — 1 December 2015 (*Gazette S363, 24 November 2015*).

- 16 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015

Local Government Amendment (Fair Go Rates) Bill 2015

Public Health and Wellbeing Amendment (Safe Access Zones) Bill 2015.

- 17 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 1 December 2015, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Child Wellbeing and Safety Amendment (Child Safe Standards) Bill 2015

Fisheries Amendment Bill 2015

Local Government Amendment (Fair Go Rates) Bill 2015

Public Health and Wellbeing Amendment (Safe Access Zones) Bill 2015

State Taxation Acts Further Amendment Bill 2015.

- 18 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Assisted Reproductive Treatment Amendment Bill 2015

Occupational Licensing National Law Repeal Bill 2015.

- 19 **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** — The Deputy Speaker announced that the Speaker had received the resignation of Ms Kealy from the Scrutiny of Acts and Regulations Committee, effective from 26 November 2015.

- 20 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 10 December 2015:

Assisted Reproductive Treatment Amendment Bill 2015

Bail Amendment Bill 2015
 Crown Land Legislation Amendment (Canadian Regional Park and Other Matters) Bill 2015
 Kardinia Park Stadium Bill 2015
 Land (Revocation of Reservations) Bill 2015

(*Ms Allan*) — put, after debate, and agreed to.

21 **STATEMENTS BY MEMBERS** — Statements by members were made.

22 **CROWN LAND LEGISLATION AMENDMENT (CANADIAN REGIONAL PARK AND OTHER MATTERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Under standing orders, Ms Sandell announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

23 **LAND (REVOCATION OF RESERVATIONS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Garrett*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

24 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 3 be postponed until later this day.

25 **KARDINIA PARK STADIUM BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

26 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.27 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 55 — Wednesday 9 December 2015

1 The Speaker took the Chair and read the Prayer.

2 **ELECTORAL LEGISLATION AMENDMENT (POLITICAL DONATIONS) BILL 2015** — Motion made and question — That Ms Sandell have leave to bring in a Bill '*for an Act to amend the Electoral Act 2002 and the Local Government Act 1989 in relation to political donations and for other purposes*' — put and defeated.

3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 9, 163 and 209 signatures (*Mr Watt, Mr Northe and Ms Ryall respectively*)

Rangehoods in Public Housing — Requesting that the Legislative Assembly calls on the Minister for Housing, Disability and Ageing to place rangehoods above stoves in public housing properties along 114 Victory Boulevard, Ashburton, bearing 16 signatures (*Mr Watt*)

Management of Gardiner's Creek Reserve — Requesting that the Legislative Assembly calls on the Minister for Environment to return the Committee of Management of the Crown Land in Gardiner's Creek Reserve Burwood to the City of Whitehorse, bearing 89 signatures (*Mr Watt*)

2–18 Markham Avenue, Ashburton — Requesting that the Legislative Assembly ensures that the Government reverses its decision to overdevelop the 2–18 Markham Avenue, Ashburton site and adhere to the maximum height of nine metres, bearing 2 signatures (*Mr Watt*)

Additional Public Holidays — Requesting that the Legislative Assembly calls on the Government to reconsider its decision to introduce two additional public holidays, bearing 44 signatures (*Mr Watt*)

C153 Proposed Planning Permit — Requesting that the Legislative Assembly calls on the Minister for Planning to reject amendment C153 and the proposed planning permit for 310 dwellings at 15–31 Hay Street, Box Hill South, bearing 218 signatures (*Mr Watt*)

Yea Primary School — Requesting that the Legislative Assembly urges the Government to provide crucial funds for electronic 40km/h speed limit signs at Yea Primary School to ensure the safety of local school children, bearing 102 signatures (*Ms McLeish*)

42–58 Nelson Street, Ringwood — Requesting that the Legislative Assembly calls on the Minister for Planning to ensure that any development at 42–58 Nelson Street, Ringwood is limited to five storeys only and complies with the City of Maroondah Planning Scheme, bearing 49 signatures (*Ms Ryall*).

Petitions ordered to be tabled.

4 **PETITION — YEA PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

5 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

6 **PETITION — RANGEHOODS IN PUBLIC HOUSING** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

7 **PETITION — MANAGEMENT OF GARDINER'S CREEK RESERVE** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

- 8 **PETITION — 2–8 MARKHAM AVENUE, ASHBURTON** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 9 **PETITION — ADDITIONAL PUBLIC HOLIDAYS** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 10 **PETITION — C153 PROPOSED PLANNING PERMIT** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 11 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 12 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Ringwood be taken into consideration tomorrow (*Ms Ryall*) — put and agreed to.
- 13 **PETITION — 42–58 NELSON STREET, RINGWOOD** — Motion made and question — That the petition presented by the Member for Ringwood be taken into consideration tomorrow (*Ms Ryall*) — put and agreed to.
- 14 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

East West Link Project — Ordered to be published

Portfolio Departments and Associated Entities: 2014–15 Audit Snapshot — Ordered to be published

Australian Children's Education and Care Quality Authority — Report 2014–15

Commissioner for Privacy and Data Protection, Office of — Report 2014–15 and Supplement to Report 2014–15 (two documents) — Ordered to be published

Education and Care Services National Law Act 2010 — Report 2014–15 of the Education and Care Services Ombudsman, National Education and Care Services Freedom of Information and Privacy Commissioners

Hazelwood Mine Fire Inquiry Report 2015–16: Volume 2 — Investigations into 2009–14 Deaths — Ordered to be published

Ombudsman — Reporting and investigation of allegations of abuse in the disability sector: Phase 2 — incident reporting — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 145.

- 15 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015

Terrorism (Community Protection) Amendment Bill 2015.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 17 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2014–15
- Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates
- Public Accounts and Estimates Committee's 2015–16 Estimates Hearings Alert Report
- Family and Community Development Committee's Interim Report on the Inquiry into Abuse in Disability Services.
- 18 **ACKNOWLEDGEMENT OF COUNTRY** — Motion made and question proposed — That the House authorises the Speaker to give an Acknowledgement of Country each sitting Tuesday (*Ms Hutchins*) — and, after debate —
- Business having been interrupted at 11.00 am under sessional orders.*
- 19 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 20 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 21 **ACKNOWLEDGEMENT OF COUNTRY** — Debate resumed on question — That the House authorises the Speaker to give an Acknowledgement of Country each sitting Tuesday — put and agreed to.
- 22 **RACING AND OTHER ACTS AMENDMENT (GREYHOUND RACING AND WELFARE REFORM) BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 23 December 2015.
- 23 **NATIONAL ELECTRICITY (VICTORIA) FURTHER AMENDMENT BILL 2015** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 23 December 2015.
- 24 **GENE TECHNOLOGY AMENDMENT BILL 2015** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 December 2015.

- 25 **ADOPTION AMENDMENT (ADOPTION BY SAME-SEX COUPLES) BILL 2015** — Order read for the consideration of the amendment made by the Legislative Council.

Motion made and question proposed — That the amendment be agreed to (*Mr Foley*) — and, after debate —

Business having been interrupted at 2.00 pm under sessional orders.

- 26 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FIRST YEAR OF ANDREWS GOVERNMENT** — The House was informed that Mr Hodgett had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the first year of the Andrews Government for its dysfunction, disunity, drift, disorder, delays, deficit and debt, with Victoria either stalled or going backwards in every key area, including jobs, economic management, transport, roads and infrastructure.'

Mr Hodgett addressed the House — Discussion followed.

- 25 **ADOPTION AMENDMENT (ADOPTION BY SAME-SEX COUPLES) BILL 2015** — Debate continued on question — That the amendment be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 26 **KARDINIA PARK STADIUM BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 27 **BAIL AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 28 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.20 pm.

No 56 — Thursday 10 December 2015

- 1 The Speaker took the Chair and read the Prayer.
- 2 **ELECTORAL LEGISLATION AMENDMENT (POLITICAL DONATIONS) BILL 2015** — Motion made, by leave, and question — That Ms Sandell have leave to bring in a Bill *for an Act to amend the Electoral Act 2002 and the Local Government Act 1989 in relation to political donations and for other purposes* — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 3

Mr Hibbins; Ms Sandell; Ms Sheed.

NOES 82

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Riordan; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryall; Ms Ryan; Mr Scott; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Thomas; Ms Thomson (*Footscray*); Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Ms Williams; Mr Wynne.

Question defeated.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Dorothy Avenue Underpass — Requesting that the Legislative Assembly calls on the Government to reconsider its decision to keep the Dorothy Avenue underpass open to cars and other vehicles following the completion of the North Road, Ormond, railway line works, bearing 94 signatures (*Mr Southwick*)

Special Religious Instruction Time Arrangements — Requesting that the Legislative Assembly ensures that Special Religious Instruction remains part of the school system under the current arrangements of 30 minutes per week during normal class time, bearing 8929 signatures (*Mr Wakeling*)

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 180 signatures (*Mr Wakeling*).

Petitions ordered to be tabled.

- 4 **PETITION — DOROTHY AVENUE UNDERPASS** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.
- 5 **PETITION — SPECIAL RELIGIOUS INSTRUCTION TIME ARRANGEMENTS** — Motion made and question — That the petition presented by the Member for Ferntree Gully be taken into consideration tomorrow (*Mr Wakeling*) — put and agreed to.

- 6 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Ferntree Gully be taken into consideration tomorrow (*Mr Wakeling*) — put and agreed to.

7 **DOCUMENTS**

VICTORIAN GOVERNMENT ABORIGINAL AFFAIRS REPORT 2014–15 — Tabled by leave (*Ms Hutchins*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Access to Public Sector Information — Ordered to be published
 Implementing the Gifts, Benefits and Hospitality Framework — Ordered to be published
 Water Entities: 2014–15 Audit Snapshot — Ordered to be published

Children's Court of Victoria — Report 2014–15

Commissioner for Environmental Sustainability Act 2003 — Framework for the 2018 Victorian State of the Environment Report

Falls Creek Alpine Resort Management Board — Report year ended 31 October 2014

Legal Profession Uniform Law Application Act 2014 — Practitioner Remuneration Order 2016 under s 96.

- 8 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 9 **JUDICIAL COMMISSION OF VICTORIA BILL 2015** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 December 2015.

- 10 **ROOMING HOUSE OPERATORS BILL 2015** — *Ms Garrett tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Garrett*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Northe*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 December 2015.

- 11 **ACCESS TO MEDICINAL CANNABIS BILL 2015** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 December 2015.

- 12 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (A STRONGER SYSTEM) BILL 2015** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 December 2015.

- 13 **TRANSPARENCY IN GOVERNMENT BILL 2015** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 December 2015.

- 14 **BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 December 2015.

- 15 **ATTENDANCE OF MINISTER BEFORE STANDING COMMITTEE OF THE LEGISLATIVE COUNCIL** — Order read for the consideration of the message from the Legislative Council.

Motion made and question — That this House refuses to consent to the Legislative Council's request for the Minister for Energy and Resources to appear before the Legislative Council Environment and Planning Committee to give evidence and answer questions in relation to the inquiry into onshore unconventional gas (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

Ordered — That a message be sent to the Legislative Council informing them accordingly.

Business having been interrupted at 11.00 am under sessional orders.

16 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

17 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

18 **BAIL AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Richardson, Northcote*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

19 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

20 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until a day and hour to be fixed by the Speaker, which time of meeting shall be notified in writing to each member of the House (*Ms Allan*) — put and agreed to.

21 **ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 December 2015 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 56

Ms Allan; Mr Angus; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carroll; Mr Clark; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr Pakula; Mr Pallas; Mr Pearson; Mr Pesutto; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Ryall; Ms Sandell; Mr Scott; Mr Staikos; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Mr Carbines; Ms Spence.

NOES 27

Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr McCurdy; Ms McLeish; Mr O'Brien (*Malvern*); Mr Paynter; Mr Riordan; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh. Tellers: Mr Katos; Mr Watt.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **CROWN LAND LEGISLATION AMENDMENT (CANADIAN REGIONAL PARK AND OTHER MATTERS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 23 **LAND (REVOCATION OF RESERVATIONS) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 24 **KARDINIA PARK STADIUM BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 25 **BAIL AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.16 pm under sessional orders.

-
- 26 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.46 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 57, 58 and 59

No 57 — Tuesday 9 February 2016

- 1 The House met in accordance with the terms of the resolution of 10 December 2015, the Speaker having fixed today at 12.00 noon as the time of meeting — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
 - 2 **BLACK SATURDAY BUSHFIRES ANNIVERSARY** — The Speaker reflected on the seventh anniversary of the devastating 2009 bushfires, encouraging all Victorians to offer their continued support for affected communities. Members stood in silence to show their support.
 - 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
 - 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
 - 5 **VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016** — Mr Scott obtained leave to bring in a Bill *'for an Act to amend the Victoria Police Act 2013 in relation to the transfer of certain police officers and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
 - 6 **CHILDREN LEGISLATION AMENDMENT BILL 2016** — Mr Foley obtained leave to bring in a Bill *'for an Act to amend the Children, Youth and Families Act 2005 to improve the operation of that Act and to amend the Commission for Children and Young People Act 2012 in relation to the disclosure of information under that Act and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
 - 7 **HEALTH COMPLAINTS BILL 2016** — Ms Hennessy obtained leave to bring in a Bill *'for an Act to provide for a complaints process and other processes about health service provision and related matters, to establish the office of Health Complaints Commissioner and the Health Complaints Commissioner Advisory Council, to repeal the Health Services (Conciliation and Review) Act 1987, to make minor and consequential amendments to other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
 - 8 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Rooming House Development in Cranbourne** — Requesting that the Legislative Assembly — (a) reviews the planning scheme provisions (Clause 52.23) relating to rooming houses without a planning permit; and (b) amends the planning scheme provisions to prohibit the establishment of further rooming houses without planning from Council, including the property at 5a and 5b Concord Place, Cranbourne until completion of the review, bearing 484 signatures (*Mr Paynter*)
 - Grand Final Eve Public Holiday** — Requesting that the Legislative Assembly calls on the Government to reverse its decision to impose the Grand Final Eve public holiday, bearing 51 signatures (*Mr Burgess*)
 - Additional Frontline Police** — Requesting that the Legislative Assembly calls on the Government to commit to providing additional frontline police numbers, bearing 18 signatures (*Mr Burgess*).
- Petitions ordered to be tabled.

- 9 **PETITION — ROOMING HOUSE DEVELOPMENT IN CRANBOURNE** — Motion made and question — That the petition presented by the Member for Bass be taken into consideration tomorrow (*Mr Paynter*) — put and agreed to.
- 10 **PETITION — GRAND FINAL EVE PUBLIC HOLIDAY** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 11 **PETITION — ADDITIONAL FRONTLINE POLICE** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 1 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Access to Medicinal Cannabis Bill 2015
 Assisted Reproductive Treatment Amendment Bill 2015
 Bail Amendment Bill 2015
 Building Legislation Amendment (Consumer Protection) Bill 2015
 Gene Technology Amendment Bill 2015
 Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015
 Judicial Commission of Victoria Bill 2015
 National Electricity (Victoria) Further Amendment Bill 2015
 Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Bill 2015
 Rooming House Operators Bill 2015
 Transparency in Government Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Border Groundwaters Agreement Review Committee — Report 2014–15

Cancer Council Victoria — Report period ended 30 September 2015

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Knox Community Gardens and Vineyard Reserve

Duties Act 2000 — Report period ended 30 November 2015 of Foreign Purchaser Additional Duty Exemptions under s 3E

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2015 under s 303

Health Practitioner National Law (Victoria) Act 2009 — Report 2014–15 of the National Health Practitioner Ombudsman and Privacy Commissioner

Inquiries Act 2014 — Royal Commission into Trade Union Governance and Corruption Volumes 1 to 5

Interpretation of Legislation Act 1984:

Notices under s 32(3)(a)(iii) in relation to Statutory Rules 136, 167/2015

Notice under s 32(4)(a)(iii) in relation to Statutory Rules 54/2007, 166/2008, 37/2011, 132/2012

Land Acquisition and Compensation Act 1986 — Certificates under s 7 (two documents)

Land Tax Act 2005 — Report period ended 30 November 2015 of Land Tax Absentee Owner Surcharge Exemptions under s 3B

Melbourne City Link Act 1995:

CityLink — Tullamarine Corridor Redevelopment Deed Second Amending Deed

Melbourne City Link Thirty-fifth Amending Deed

Parliamentary Committees Act 2003 — Government response to the Environment, Natural Resources and Regional Development Committee's Interim Report on the Inquiry into the CFA Training College at Fiskville

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Ballarat — C185

Bayside — C146

Boroondara — C200, C209

Brimbank — C105

Cardinia — C161

Casey — C197, C199

Frankston — C99, C110 Part 1

Glen Eira — C123

Greater Dandenong — C183

Greater Geelong — C315

Greater Shepparton — C92, C170

Kingston — C175

Knox — C74, C144

Latrobe — C86

Macedon Ranges — C96

Maroondah — C95, C125

Melbourne — C269

Moreland — C157

Mornington Peninsula — C184 Part 3

Mount Alexander — C74

Moyne — C48 Part 1

Port Phillip — C115, C124, C131

Stonnington — C183 Part 1

Victoria Planning Provisions — VC121, VC126, VC127

Warrnambool — C78 Part 1

Wellington — C94

West Wimmera — C32

Whitehorse — C167, C210

Whittlesea — C73, C179, C195

Wyndham — C194, C210

Yarra — C195, C207

Yarra Ranges — C150

Project Development and Construction Management Act 1994 — Nomination orders under s 6, application orders under s 8 and statements under s 9 of reasons for making nomination orders (six documents)

Statutory Rules under the following acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SR 146/2015
Building Act 1993 — SRs 152, 157/2015
Child Wellbeing and Safety Act 2005 — SR 168/2015
County Court Act 1958 — SR 162/2015
Country Fire Authority Act 1958 — SR 148/2015
Dangerous Goods Act 1985 — SR 156/2015
Domestic Animals Act 1994 — SR 165/2015
Human Tissue Act 1982 — SR 171/2015
Infringements Act 2006 — SR 166/2015
Land Tax Act 2005 — SR 161/2015
Liquor Control Reform Act 1998 — SR 155/2015
Magistrates' Court Act 1989 — SRs 154, 163, 164/2015
Marine Safety Act 2010 — SRs 153, 158/2015
Mineral Resources (Sustainable Development) Act 1990 — SRs 149, 150/2015
Non-Emergency Patient Transport Act 2003 — SR 151/2015
Public Administration Act 2004 — SR 160/2015
Public Health and Wellbeing Act 2008 — SR 170/2015
Retirement Villages Act 1986 — SR 147/2015
Road Safety Act 1986 — SR 159/2015
Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 — SR 169/2015
Victorian Energy Efficiency Target Act 2007 — SR 167/2015

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 133, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171/2015

Documents under s 16B in relation to the:

Cemeteries and Crematoria Act 2003 — Southern Metropolitan Cemeteries Trust's Scale of Fees and Charges

City of Greater Geelong Act 1993 — Greater Geelong City Council — Mayoral and Deputy Mayoral Allowances — Alteration

City of Melbourne Act 2001 — Melbourne City Council — Lord Mayoral, Deputy Lord Mayoral and Councillor Allowances — Alteration

Education and Training Reform Act 2006 — Ministerial Order No 858

Livestock Disease Control Act 1994 — Notice of the fixing of fees

Local Government Act 1989:

General Order Setting the Average Rate Cap

Mayoral and Councillor Allowances Adjustment

Senior Officer Remuneration Threshold Increase

Victorian Energy Efficiency Target Act 2007 — Notice of Declaration of a Discount Factor

Water Act 1989 — Abolition of Diamond Creek Water Supply Protection Area Order 2016.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with and Order of the House dated 24 February 2015:

Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 — Whole Act — 1 January 2016 (*Gazette S426, 22 December 2015*)

Children, Youth and Families Amendment (Aboriginal Principal Officers) Act 2015 — Remaining provisions — 4 January 2016 (*Gazette S426, 22 December 2015*)

Corrections Legislation Amendment Act 2015 — Divisions 6, 7 and 9 of Part 2 — 9 December 2015 (*Gazette S389, 8 December 2015*)

Education and Training Reform Amendment (Child Safe Schools) Act 2015 — Sections 4(2) and 5(1), (2), and (4) — 9 December 2015 (*Gazette S389, 8 December 2015*)

Education Legislation Amendment (TAFE and University Governance Reform) Act 2015 — Whole Act — 1 January 2016 (*Gazette S403, 15 December 2015*)

Energy Legislation Amendment (Consumer Protection) Act 2015 — Whole Act — 1 January 2016 (*Gazette S403, 15 December 2015*)

Fisheries Amendment Act 2015 — Whole Act — 16 December 2015 (*Gazette S403, 15 December 2015*)

Mineral Resources (Sustainable Development) Amendment Act 2014 — Sections 4(3), 16 and 27 — 8 December 2015 (*Gazette S389, 8 December 2015*)

Public Health and Wellbeing Amendment (No Jab, No Play) Act 2015 — Whole Act — 1 January 2016 (*Gazette S403, 15 December 2015*)

Prevention of Cruelty to Animals Amendment Act 2015 — Whole Act (except ss 31, 32, 34, 35, 37, 38, 40 and 42 and Part 7) — 23 December 2015 (*Gazette S426, 22 December 2015*)

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 — Whole Act — 23 December 2015 (*Gazette S426, 22 December 2015*)

Victims of Crime Commissioner Act 2015 — Whole Act — 3 February 2016 (*Gazette S10, 2 February 2016*).

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Relationships Amendment Bill 2015 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 15 December 2015, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Adoption Amendment (Adoption by Same-Sex Couples) Bill 2015

Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015

Terrorism (Community Protection) Amendment Bill 2015.

- 15 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Access to Medicinal Cannabis Bill 2015

Building Legislation Amendment (Consumer Protection) Bill 2015

Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015

Judicial Commission of Victoria Bill 2015

Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Bill 2015.

- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 11 February 2016:

Aboriginal Heritage Amendment Bill 2015

Access to Medicinal Cannabis Bill 2015

Building Legislation Amendment (Consumer Protection) Bill 2015

Consumer Acts and Other Acts Amendment Bill 2015

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

17 **STATEMENTS BY MEMBERS** — Statements by members were made.

18 **ABORIGINAL HERITAGE AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

19 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN INSTITUTE OF TEACHING) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Wakeling announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Richardson, Northcote*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

20 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 3 and 4 be postponed until later this day.

21 **BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

No 58 — Wednesday 10 February 2016

- 1 The Speaker took the Chair and read the Prayer.
- 2 **CRIMES LEGISLATION AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill 'for an Act to amend the *Sentencing Act 1991*, the *Crimes Act 1958* and the *Summary Offences Act 1966* in relation to certain persons performing custodial functions or exercising custodial powers, to amend the *Criminal Procedure Act 2009* to provide for the admission of recorded evidence of complainants in proceedings for certain sexual offences heard summarily by the Children's Court and related proceedings, to amend the *Crimes Act 1958* to provide further for the making of regulations under that Act, to make minor amendments to the *Children, Youth and Families Act 2005* and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Christmas Carols Ban in Government Schools** — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 911 and 296 signatures (*Mr Crisp and Ms Staley respectively*)
 - Special Religious Instruction in Government Schools** — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 71 signatures (*Ms Staley*)
 - Additional Public Holidays** — Requesting that the Legislative Assembly calls on the Government to reconsider its decision to introduce two additional public holidays, bearing 26 signatures (*Ms Staley*).

Petitions ordered to be tabled.
- 4 **PETITION — CHRISTMAS CAROLS BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 5 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 6 **PETITION — ADDITIONAL PUBLIC HOLIDAYS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 7 **PETITION — CHRISTMAS CAROLS BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Mildura be taken into consideration tomorrow (*Mr Crisp*) — put and agreed to.
- 8 **DOCUMENTS**
 - INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION COMMITTEE** — Mr Wells, Chair, presented a report from the Independent Broad-based Anti-corruption Commission Committee on Strengthening Victoria's key anti-corruption agencies? together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Administration of Parole — Ordered to be published

Hospital Performance: Length of Stay — Ordered to be published

Hazelwood Mine Fire Inquiry Report 2015–16 Volume 3 — Health Improvement — Ordered to be published

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Returns December 2015 and Summary of Variations notified between 13 October 2015 and 8 February 2016 — Ordered to be published.

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Drugs, Poisons and Controlled Substances Amendment Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 10 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearings Alert Report

Independent Broad-based Anti-corruption Commission Committee's Report on Strengthening Victoria's key anti-corruption agencies?

Public Accounts and Estimates Committee's 2015–16 Budget Estimates.

- 12 **VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 24 February 2016.

- 13 **CHILDREN LEGISLATION AMENDMENT BILL 2016** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 24 February 2016.

- 14 **HEALTH COMPLAINTS BILL 2016** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 24 February 2016.
- 15 **RELATIONSHIPS AMENDMENT BILL 2015** — Order read for the consideration of the amendment made by the Legislative Council.
- Motion made and question — That the amendment be disagreed with but amendments made in the Bill (*Mr Pakula*) — and, after debate —
- Business having been interrupted at 11.00 am under sessional orders.*
- 16 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 17 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 18 **RELATIONSHIPS AMENDMENT BILL 2015** — Debate continued on question — That the amendment be disagreed with but amendments made in the Bill — put and agreed to.
- Message sent to the Legislative Council informing them accordingly.
- 19 **BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 2.00 pm under sessional orders.*
- 20 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.
- 21 **BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 22 **CONSUMER ACTS AND OTHER ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 23 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Requesting that the Legislative Assembly grants leave to the Minister for Public Transport, the Honourable Jacinta Allan, MP, to appear before the Legislative Council Economy and Infrastructure Committee to give evidence and answer questions in relation to the Committee's inquiry into infrastructure projects.
- Ordered — That the message be taken into consideration immediately.

24 **ATTENDANCE OF MINISTER BEFORE STANDING COMMITTEE OF THE LEGISLATIVE COUNCIL** — Order read for the consideration of the message from the Legislative Council.

Motion made and question — That this House refuses to consent to the Legislative Council's request for the Minister for Public Transport, the Honourable Jacinta Allan, MP, to appear before the Legislative Council Economy and Infrastructure Committee to give evidence and answer questions in relation to the Committee's inquiry into infrastructure projects (*Mr Pakula*) — and, after debate —

Motion made and question — That the question be now put (*Mr Donnellan*) — put and agreed to.

Original question — accordingly put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbin; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That a message be sent to the Legislative Council informing them accordingly.

Business having been interrupted at 7.00 pm under sessional orders.

25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 59 — Thursday 11 February 2016

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

South Gippsland Landfill — Requesting that the Legislative Assembly calls on the State Government to protect South Gippsland from becoming a landfill for south east Melbourne, bearing 1457 signatures (*Mr O'Brien, Gippsland South*)

Bus Services in Keysborough and Dandenong South — Requesting that the Legislative Assembly urges the Government to introduce additional bus routes and increase the frequency of existing bus services in the Keysborough and Dandenong South areas, bearing 465 signatures (*Mr Pakula*)

Christmas Carols Ban in Government Schools — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 561 signatures (*Mr McCurdy*).

Petitions ordered to be tabled.

3 **PETITION — SOUTH GIPPSLAND LANDFILL** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

4 **PETITION — CHRISTMAS CAROLS BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.

5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Climate Change Act 2010 — Independent Review of the *Climate Change Act 2010*

Legal Services Council and Commissioner for Legal Services Regulation — Reports 2014–15

Parliamentary Committees Act 2003 — Government response to the Economic Development, Infrastructure, Outer Suburban/Interface Services Committee's report on the Inquiry into Marine Rescue Services in Victoria.

6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Relationships Amendment Bill 2015 — Not requiring their amendment and agreeing to the Legislative Assembly amendments.

7 **STATEMENTS BY MEMBERS** — Statements by members were made.

8 **CRIMES LEGISLATION AMENDMENT BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 25 February 2016.

9 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2015** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Mr Scott*) — after debate, put.

A division having been called, the Speaker advised that there was only one vote for the 'noes' and, accordingly, declared the question agreed to. Mr Hibbins asked that his dissent be recorded.

Message sent to the Legislative Council informing them accordingly.

- 10 **ACCESS TO MEDICINAL CANNABIS BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 13 **ACCESS TO MEDICINAL CANNABIS BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Further Amendment Bill 2015 without amendment.

- 15 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until a day and hour to be fixed by the Speaker, which time of meeting shall be notified in writing to each member of the House (*Ms Allan*) — put and agreed to.

- 16 **ABORIGINAL HERITAGE AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 9 February 2016 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN INSTITUTE OF TEACHING) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **CONSUMER ACTS AND OTHER ACTS AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

20 **ACCESS TO MEDICINAL CANNABIS BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.31 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 60, 61 and 62

No 60 — Tuesday 23 February 2016

1 The House met in accordance with the terms of the resolution of 11 February 2016, the Speaker having fixed today at 12.00 noon as the time of meeting — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

4 **FINES REFORM AND INFRINGEMENTS ACTS AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill *for an Act to amend the Fines Reform Act 2014, the Infringements Act 2006 and other Acts in relation to work and development permits, to further provide for enforcement under those Acts and to bring forward the commencement of some of the measures in the Fines Reform Act 2014 by including them in the Infringements Act 2006 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **SEX OFFENDERS REGISTRATION AMENDMENT BILL 2016** — Mr Scott obtained leave to bring in a Bill *for an Act to amend the Sex Offenders Registration Act 2004, to make consequential amendments to the Children, Youth and Families Act 2005, the Magistrates' Court Act 1989 and the Open Courts Act 2013 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 2 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Children Legislation Amendment Bill 2016
Crimes Legislation Amendment Bill 2016
Health Complaints Bill 2016
Judicial Commission of Victoria Bill 2015
Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Bill 2015
Rooming House Operators Bill 2015
Victoria Police Amendment (Merit-based Transfer) Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Financial Management Act 1994 — Report from the Minister for Agriculture that she had received the Report 2014–15 of the Greater Sunraysia Pest Free Area Industry Development Committee, together with an explanation for the delay

Mount Baw Baw Alpine Resort Management Board — Report year ended 31 October 2015

Mount Buller and Mount Stirling Alpine Resort Management Board — Report year ended 31 October 2015

Mount Hotham Alpine Resort Management Board — Report year ended 31 October 2015

Lake Mountain Alpine Resort Management Board — Report year ended 31 October 2015

Parliamentary Committees Act 2003 — Government response to the Environment, Natural Resources and Regional Development Committee's Interim Report on the Inquiry into the CFA Training College at Fiskville (*in lieu of the response previously tabled on Tuesday 9 February 2016*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Buloke — C25
 Cardinia — C204
 Casey — C182, C210
 Frankston — C110 Part 2
 Gannawarra — C40
 Glenelg — C84
 Greater Bendigo — C200, C219
 Greater Geelong — C340
 Greater Shepparton — C179, C182, C186
 Hume — C210
 Knox — C140
 Mansfield — C15
 Melbourne — C209
 Mitchell — C91 Part 2
 Monash — C121, C122 Part 1
 Murrindindi — C53, C54
 South Gippsland — C99
 Wangaratta — C56
 Wellington — C93
 Whittlesea — C183
 Wyndham — C170

Statutory Rules under the following acts:

Children's Services Act 1996 — SR 2
Public Health and Wellbeing Act 2008 — SR 3
Subordinate Legislation Act 1994 — SR 4
Wrongs Act 1958 — SR 1

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 1, 2, 4
 Documents under s 16B in relation to the *Cemeteries and Crematoria Act 2003* — Southern Metropolitan Cemeteries Trust's Scale of Fees and Charges

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q.

7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Bail Amendment Bill 2015
 Road Legislation Amendment Bill 2015.

- 8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 16 February 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Bail Amendment Bill 2015
 Drugs, Poisons and Controlled Substances Amendment Bill 2015
 Justice Legislation Further Amendment Bill 2015
 Relationships Amendment Bill 2015
 Road Legislation Amendment Bill 2015.

- 9 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Health Complaints Bill 2016.

- 10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 25 February 2016:

Children Legislation Amendment Bill 2016
 Health Complaints Bill 2016
 Judicial Commission of Victoria Bill 2015
 Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Bill 2015

(*Ms Hennessy*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 12 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.
- 13 **JUDICIAL COMMISSION OF VICTORIA BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

14 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 3 and 4, be postponed until later this day.

15 **RACING AND OTHER ACTS AMENDMENT (GREYHOUND RACING AND WELFARE REFORM) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

16 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.33 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 61 — Wednesday 24 February 2016

1 The Speaker took the Chair and read the Prayer.

2 **PARLIAMENTARY BUDGET OFFICER BILL 2016** — Mr Pallas obtained leave to bring in a Bill 'for an Act to provide for the appointment of a Parliamentary Budget Officer, to give that Officer the functions of providing policy costing and advisory services for members of Parliament, to amend the *Parliamentary Administration Act 2005* to establish the Parliamentary Budget Office, to make miscellaneous amendments to section 24 of the *Constitution Act 1975* and to the *Independent Broad-based Anti-corruption Commission Act 2011*, the *Ombudsman Act 1973* and the *Parliamentary Committees Act 2003* and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Rooming House Regulation — Requesting that the Legislative Assembly — (a) calls on the Government to reconsider regulatory requirements of the *Public Health and Wellbeing Act 2008* pertaining to rooming houses; (b) ensures that Victoria Police and other relevant authorities can appropriately respond to rooming house issues; and (c) considers legislative options to regulate rooming house accommodation, bearing 47 signatures (*Mr Southwick*)

Christmas Carols Ban in Government Schools — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 330 and 169 signatures (*Mr Crisp and Mr Wells respectively*).

Petitions ordered to be tabled.

4 **PETITION — ROOMING HOUSE REGULATION** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

5 **PETITION — CHRISTMAS CAROLS BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Rowville be taken into consideration tomorrow (*Mr Wells*) — put and agreed to.

- 6 **PETITION — CHRISTMAS CAROLS BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Mildura be taken into consideration tomorrow (*Mr Crisp*) — put and agreed to.
- 7 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:
- Public Safety on Victoria's Train System — Ordered to be published
Victorian Electoral Commission — Ordered to be published
- Murray-Darling Basin Authority — Report 2014–15
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rule 3.
- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Assisted Reproductive Treatment Amendment Bill 2015 without amendment.
- 9 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 6 October 2015 be amended to extend the reporting date for the Public Accounts and Estimates Committee's inquiry into the impact on Victorian Government service delivery of changes to National Partnership Agreements to no later than 23 June 2016 (*Ms Allan*) — put and agreed to.
- 10 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearings Alert Report
- Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates.
- 12 **FINES REFORM AND INFRINGEMENTS ACTS AMENDMENT BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 9 March 2016.
- 13 **SEX OFFENDERS REGISTRATION AMENDMENT BILL 2016** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 9 March 2016.

- 14 **RACING AND OTHER ACTS AMENDMENT (GREYHOUND RACING AND WELFARE REFORM) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 15 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 16 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 17 **RACING AND OTHER ACTS AMENDMENT (GREYHOUND RACING AND WELFARE REFORM) BILL 2015** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **CHILDREN LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Foley announced an amendment to be proposed when the House considers the Bill in detail and requested that it be circulated. Amendment circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 19 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — MELBOURNE METRO RAIL PROJECT** — The House was informed that Ms Allan had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House:

- (1) welcomes the release of the Melbourne Metro business case that will transform Melbourne with a brand new rail line and five new stations;
- (2) notes that Melbourne Metro Rail will:
 - (a) create space for an additional 39,000 passengers in the morning peak;
 - (b) create 3,900 Victorian jobs;
 - (c) provide unprecedented access to the hospital, educational and employment precincts;
 - (d) return \$1.10 for every dollar invested;
- (3) condemns the former Liberal–Nationals government for putting this vital infrastructure project on the shelf for four long years.'

Ms Allan addressed the House — Discussion followed.

- 20 **CHILDREN LEGISLATION AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **HEALTH COMPLAINTS BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.19 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 62 — Thursday 25 February 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Abortion Law Reform Act 2008 Amendment — Requesting that the Legislative Assembly amends the *Abortion Law Reform Act 2008* to — (a) ban late-term abortions; (b) increase post birth support to women and babies; (c) include pain relief for pre-term babies when being aborted; (d) ensure babies that survive an abortion procedure are given medical care; and (e) allow medical professionals the freedom to conscientiously object to abortions, bearing 408 signatures (*Ms Neville*)

Puppy Farms — Requesting that the Legislative Assembly calls on the Government to make puppy farms illegal, bearing 116 signatures (*Mr Brooks*)

Christmas Carols Ban in Government Schools — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 277 signatures (*Mr Angus*).

Petitions ordered to be tabled.

- 3 **PETITION — CHRISTMAS CAROLS BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.

- 4 **PETITION — PUPPY FARMS** — Motion made and question — That the petition presented by the Member for Bundoora be taken into consideration tomorrow (*Mr Brooks*) — put and agreed to.

- 5 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following document in accordance with an Act of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17B and s 17D granting a licence and a lease over Sandy Point Foreshore Reserve.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Local Government Amendment (Improved Governance) Act 2015 — Remaining provisions (except ss 13 and 56) — 1 March 2016 (*Gazette S25, 23 February 2016*).

6 **STATEMENTS BY MEMBERS** — Statements by members were made.

7 **PARLIAMENTARY BUDGET OFFICER BILL 2016** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 10 March 2016.

8 **HEALTH COMPLAINTS BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

11 **HEALTH COMPLAINTS BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Kardinia Park Stadium Bill 2015 without amendment.

13 **ADDRESSES ON FAMILY VIOLENCE** — Order read for resuming debate on question — That this House takes note of the addresses regarding the prevention of family violence, led by Ms Rosie Batty, on 26 November 2015; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

14 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until a day and hour to be fixed by the Speaker, which time of meeting shall be notified in writing to each member of the House (*Ms Allan*) — put and agreed to.

15 **ADDRESSES ON FAMILY VIOLENCE** — Order read for resuming debate on question — That this House takes note of the addresses regarding the prevention of family violence, led by Ms Rosie Batty, on 26 November 2015; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 23 February 2016 had expired.

16 **JUDICIAL COMMISSION OF VICTORIA BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 17 **RACING AND OTHER ACTS AMENDMENT (GREYHOUND RACING AND WELFARE REFORM) BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **CHILDREN LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, the Government amendment be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **HEALTH COMPLAINTS BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.04 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.45 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 63, 64 and 65

No 63 — Tuesday 8 March 2016

- 1 The House met in accordance with the terms of the resolution of 25 February 2016, the Speaker having fixed today at 12.00 noon as the time of meeting — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF GEORGE (IAN) DAVIS** — The Speaker announced the death of George (Ian) Davis, Member of the Legislative Assembly for the Electoral District of Essendon from 1992 to 1996; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 5 **CONFISCATION AND OTHER MATTERS AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Confiscation Act 1997** to improve the operation of that Act as it applies to serious and organised crime, to amend the **Criminal Organisations Control Act 2012** to remove the distinction between different types of declarations made in respect of organisations, to make miscellaneous amendments to the **Surveillance Devices Act 1999**, the **Open Courts Act 2013**, the **Criminal Procedure Act 2009**, the **Sentencing Act 1991** and the **Family Violence Protection Amendment Act 2014** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **HOUSE CONTRACTS GUARANTEE REPEAL BILL 2016** — Mr Scott obtained leave to bring in a Bill '*for an Act to repeal the **House Contracts Guarantee Act 1987** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2016** — Mr Scott obtained leave to bring in a Bill '*for an Act to amend the **Workplace Injury Rehabilitation and Compensation Act 2013**, the **Accident Compensation Act 1985** and the **Occupational Health and Safety Act 2004** to further improve the operation of those Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Special Religious Instruction in Government Schools** — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 33 signatures (*Mr Bull, Gippsland East*)
 - Christmas Carol Ban in Government Schools** — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 26 and 2280 signatures (*Mr Crisp and Mr Northe respectively*)
 - Presumptive Rights Legislation for Firefighters** — Requesting that the Legislative Assembly calls on the Government to ensure that any legislation introduced for the presumptive rights (cancer) of firefighters is provided to both career and volunteer firefighters, bearing 36 signatures (*Mr Northe*).

Petitions ordered to be tabled.

- 9 **PETITION — CHRISTMAS CAROL BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 10 **PETITION — PRESUMPTIVE RIGHTS LEGISLATION FOR FIREFIGHTERS** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 11 **PETITION — CHRISTMAS CAROL BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Mildura be taken into consideration tomorrow (*Mr Crisp*) — put and agreed to.

12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 3 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Access to Medicinal Cannabis Bill 2015
 Corrections Amendment (No body, no parole) Bill 2016
 Fines Reform and Infringements Acts Amendment Bill 2016
 Health Complaints Bill 2016
 Parliamentary Budget Officer Bill 2016
 Road Legislation Amendment Bill 2015
 Sex Offenders Registration Amendment Bill 2016
 Upholding Australian Values (Protecting Our Flags) Bill 2015

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Determination under s 17CA giving notice of intention to grant a lease over Albert Park Reserve

Emergency Services Superannuation Scheme — Actuarial Investigation as at 30 June 2015

Financial Management Act 1994 — Report from the Minister for Environment, Climate Change and Water that she had not received the Report 2014–15 of the Falls Creek Alpine Resort Management Board, together with an explanation for the delay

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Ballarat — C186
 Banyule — C101
 Baw Baw — GC41
 Benalla — C31
 Brimbank — C166
 Buloke — C29
 Cardinia — C189, C207
 Casey — C215
 Darebin — C133 Part 2
 Frankston — C109, GC41
 Golden Plains — C70

Greater Geelong — C333
 Greater Shepparton — C143, C162, C180, C181, C183
 Knox — C147
 Manningham — C110
 Melbourne — GC41
 Melton — C138
 Mitchell — C92
 Monash — C122 Part 2, GC41
 Moonee Valley — C149, C154
 Murrundindi — C46
 Nillumbik — C85
 Northern Grampians — C44
 Port Phillip — GC41
 Stonnington — GC41
 Strathbogie — C70
 Whitehorse — C183
 Wyndham — C183, C199

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2014–15

Statutory Rules under the following acts:

Children, Youth and Families Act 2016 — SR 7

Fisheries Act 1995 — SR 8

Subordinate Legislation Act 1994 — SR 6

Water Industry Act 1994 — SR 5

Working with Children Act 2005 — SR 9

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 6, 7, 8, 9

Documents under s 16B in relation to the — *Gambling Regulation Act 2003* — Notice under section 3.6.5A, fixing the value of the supervision charge.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Gambling Legislation Amendment Act 2015 — Part 4 — 2 March 2016 (*Gazette S34, 1 March 2016*).

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 1 March 2016, given the royal assent to the following bills, presented to her by the Deputy Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

Assisted Reproductive Treatment Amendment Bill 2015
 Kardinia Park Stadium Bill 2015.

- 14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Parliamentary Budget Officer Bill 2016.

- 15 **MESSAGE FROM THE GOVERNOR — SENATE VACANCY** — Transmitting a despatch from the Honourable the President of the Senate notifying that a vacancy had happened in the representation of the State of Victoria in the Senate of the Commonwealth of Australia through the resignation of Senator the Honourable Michael Ronaldson on 28 February 2016.

16 **JOINT SITTING — SENATE, VICTORIAN HEALTH PROMOTION FOUNDATION AND VICTORIAN RESPONSIBLE GAMBLING FOUNDATION VACANCIES** — Motion made, by leave, and question — That this House meets the Legislative Council for the purpose of sitting and voting together:

- (1) to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Michael Ronaldson;
- (2) to elect three members of the Parliament to the Victorian Health Promotion Foundation; and
- (3) to elect three members of the Parliament to the board of the Victorian Responsible Gambling Foundation —

and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Wednesday 9 March 2016 at 6.45 pm (*Ms Allan*) — put and agreed to.

Ordered — That a message be sent to the Legislative Council informing them of the resolution and requesting their agreement.

17 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow the third reading of the Judicial Commission of Victoria Bill 2015 to be resubmitted immediately (*Ms Allan*) — put and agreed to.

18 **JUDICIAL COMMISSION OF VICTORIA BILL 2015** — Order read for the question — That this Bill be now read a third time.

Bill read a third time with the concurrence of an absolute majority and special majority of the whole number of the members of the Legislative Assembly.

19 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 10 March 2016:

National Electricity (Victoria) Further Amendment Bill 2015
Occupational Licensing National Law Repeal Bill 2015
Rooming House Operators Bill 2015
Victoria Police Amendment (Merit-based Transfer) Bill 2016

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

20 **STATEMENTS BY MEMBERS** — Statements by members were made.

21 **NATIONAL ELECTRICITY (VICTORIA) FURTHER AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Garrett*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

22 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to meet the Legislative Assembly for the purpose of sitting and voting together on Wednesday 9 March 2016 at 6.45 pm:

(1) to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Michael Ronaldson;

(2) to elect three members of the Parliament to the Victorian Health Promotion Foundation; and

(3) to elect three members of the Parliament to the board of the Victorian Responsible Gambling Foundation.

23 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

24 **VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 64 — Wednesday 9 March 2016

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Presumptive Rights Legislation for Firefighters — Requesting that the Legislative Assembly calls on the Government to ensure that any legislation introduced for the presumptive rights (cancer) of firefighters is provided to both career and volunteer firefighters, bearing 2553 signatures (*Mr Battin*)

Christmas Carol Ban in Government Schools — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 452 signatures (*Ms Britnell*).

Petitions ordered to be tabled.

- 3 **PETITION — PRESUMPTIVE RIGHTS LEGISLATION FOR FIREFIGHTERS** — Motion made and question — That the petition presented by the Member for Gembrook be taken into consideration tomorrow (*Mr Battin*) — put and agreed to.

4 **DOCUMENTS**

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE — Mr Howard, Chair, presented a report from the Law Reform, Road and Community Safety Committee on the Inquiry into Fuel Drive-Offs, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following documents in accordance with an Act of Parliament:

Auditor-General:

Digital Dashboard: Status Review of ICT Projects and Initiatives — Phase 2 — Ordered to be published

Grants to Non-Government Schools — Ordered to be published.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015 without amendment.

- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates

Law Reform, Road and Community Safety Committee's Report on the Inquiry into Fuel Drive-Offs.

- 8 **CONFISCATION AND OTHER MATTERS AMENDMENT BILL 2016** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 March 2016.

- 9 **HOUSE CONTRACTS GUARANTEE REPEAL BILL 2016** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 March 2016.

- 10 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2016** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodggett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 March 2016.

- 11 **VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 14 **VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — DESALINATION PLANT AND WATER POLICY** — The House was informed that Mr Walsh had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Andrews Labor Government for its desalination plant announcement, which deceives Victorians by claiming it will solve water shortage issues in country Victoria when it is impossible to deliver desalinated water to those areas, and further notes that the recent water announcements will lead to increases in water bills and cost of living pressures for Victorian families.'

Mr Walsh addressed the House — Discussion followed.

- 16 **VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **OCCUPATIONAL LICENSING NATIONAL LAW REPEAL BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **ROOMING HOUSE OPERATORS BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Donnellan announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 65 — Thursday 10 March 2016

- 1 The Speaker took the Chair and read the Prayer.
- 2 **JOINT SITTING — SENATE, VICTORIAN HEALTH PROMOTION FOUNDATION AND VICTORIAN RESPONSIBLE GAMBLING FOUNDATION VACANCIES** — The Speaker reported that the House met on Wednesday 9 March 2016 with the Legislative Council to:
- (1) choose a person to hold the seat in the Senate rendered vacant by the resignation of Senator the Honourable Michael Ronaldson, and that Mr James Paterson was duly chosen;
 - (2) elect three members of Parliament to the Board of the Victorian Health Promotion Foundation, and that Ms Colleen Hartland MLC, Hon Wendy Lovell MLC and Ms Natalie Suleyman MP were elected; and
 - (3) elect three members of Parliament to the Board of the Victorian Responsible Gambling Foundation, and that Ms Maree Edwards MP, Mr Tim McCurdy MP and Mr Graham Watt MP were elected.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Special Religious Instruction in Government Schools** — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 11 signatures (*Mr Watt*)
- Management of Gardiner's Creek Reserve** — Requesting that the Legislative Assembly calls on the Minister for Environment to return the Committee of Management of the Crown Land in Gardiner's Creek Reserve Burwood to the City of Whitehorse, bearing 421 signatures (*Mr Watt*)
- Protective Services Officers on Alamein Train Line** — Requesting that the Legislative Assembly calls on the Minister for Police to place protective services officers on all train stations along the Alamein train line from 6.00 pm until the last train, bearing 221 signatures (*Mr Watt*)
- Residential Planning Zones** — Requesting that the Legislative Assembly calls on the Minister for Planning to reject recommendations from the Residential Zone State of Play report to apply mandatory multi-storey developments to all streets within 100 metres of any activity centre or commercial zone and apply those zones to the length of a street, bearing 92 signatures (*Mr Watt*)
- Bus Route 782** — Requesting that the Legislative Assembly calls on Public Transport Victoria to ensure the communities of French Island, Phillip Island and Mornington using the bus route 782 can end their journey at the Stony Point Ferry terminal, bearing 7 signatures (*Mr Burgess*).

Petitions ordered to be tabled.

4 **PETITION — CHRISTMAS CAROL BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for South-West Coast on Wednesday 9 March 2016 be taken into consideration tomorrow (*Ms Britnell*) — put and agreed to.

5 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

6 **PETITION — MANAGEMENT OF GARDINER'S CREEK RESERVE** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

7 **PETITION — PROTECTIVE SERVICES OFFICERS ON ALAMEIN TRAIN LINE** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

8 **PETITION — RESIDENTIAL PLANNING ZONES** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

9 **PETITION — BUS ROUTE 782** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

10 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Clerk tabled the following documents in accordance with an Act of Parliament:

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Victoria Racing Club Act 2006* — Victoria Racing Club Amendment Regulations 2016.

11 **ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 17 September 2015 be amended to extend the final reporting date for the Environment, Natural Resources and Regional Development Committee's Inquiry into the CFA Training College at Fiskville to no later than 16 May 2016 (*Ms Allan*) — put and agreed to.

12 **STATEMENTS BY MEMBERS** — Statements by members were made.

13 **ROOMING HOUSE OPERATORS BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

16 **ROOMING HOUSE OPERATORS BILL 2015** — Debate continued debate on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 March 2016 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That Government amendment Nos 1 to 28 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **NATIONAL ELECTRICITY (VICTORIA) FURTHER AMENDMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **OCCUPATIONAL LICENSING NATIONAL LAW REPEAL BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put and agreed to.

- 20 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 22 March 2016 (*Ms Allan*) — put and agreed to.

- 21 **ADDRESSES ON FAMILY VIOLENCE** — Order read for resuming debate on question — That this House takes note of the addresses regarding the prevention of family violence, led by Ms Rosie Batty, on 26 November 2015; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 23 **DELIVERING VICTORIAN INFRASTRUCTURE (PORT OF MELBOURNE LEASE TRANSACTION) BILL 2015** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 24 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Children Legislation Amendment Bill 2016 without amendment.

-
- 25 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.
- 26 **ADJOURNMENT** — The Deputy Speaker left the Chair, after debate, at 6.31 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 66, 67 and 68

No 66 — Tuesday 22 March 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2016** — Mr Merlino obtained leave to bring in a Bill '*for an Act to amend the Education and Training Reform Act 2006 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (COMMUNITY SAFETY) BILL 2016** — Mr Scott obtained leave to bring in a Bill '*for an Act to amend the Serious Sex Offenders (Detention and Supervision) Act 2009, the Sentencing Act 1991, the Sex Offenders Registration Act 2004, the Corrections Act 1986 and other Acts to further protect the community from sexual offending and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **LIVESTOCK DISEASE CONTROL AMENDMENT BILL 2016** — Ms Allan obtained leave to bring in a Bill '*for an Act to amend the Livestock Disease Control Act 1994 to amend provisions enabling orders to be made, to provide further for vendor declarations when livestock are moved, to provide further for the feeding of certain materials to pigs and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Christmas Carol Ban in Government Schools** — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 27, 39 and 198 signatures (*Ms Asher, Mr Walsh and Mr Smith, Warrandyte respectively*)
 - Net Fishing Restriction in Lakes Entrance** — Requesting that the Legislative Assembly calls on the Government to apply the same net fishing restrictions that exist in the North Arm of Lakes Entrance to the Cunningham Arm, bearing 6679 signatures (*Ms Couzens*)
 - Public Pathology Services** — Requesting that the Legislative Assembly calls on the Government to place a moratorium on contracting out public pathology services and conduct a full investigation into the procurement practices of public hospitals for pathology services, 192 signatures (*Ms Sandell*)
 - Rail Infrastructure Projects, Gippsland Region** — Requesting that the Legislative Assembly calls on the Government to adopt the Liberal-Nationals Coalition's plan to invest in major rail infrastructure projects and service improvements to deliver a better public transport link to the Gippsland region, bearing 159 signatures (*Mr Northe*)
 - Special Religious Instruction in Government Schools** — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious

Instruction during school hours, bearing 48, 69 and 8 signatures (*Mr Walsh, Mr Thompson, Sandringham and Mr Smith, Warrandyte respectively*)

Location of Childcare Centres — Requesting that the Legislative Assembly calls on the Government to amend the Planning Scheme to require municipal councils and VCAT to restrict the location of large commercial childcare centres to general commercial business zones, bearing 271 signatures (*Mr Thompson, Sandringham*)

Mentone Activity Centre — Requesting that the Legislative Assembly calls on the Government to reverse its decision to apply discretionary height limits and re-instate mandatory height limits for the Mentone Shopping Centre, bearing 209 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

- 8 **PETITION — PUBLIC PATHOLOGY SERVICES** — Motion made and question — That the petition presented by the Member for Melbourne be taken into consideration tomorrow (*Ms Sandell*) — put and agreed to.

9 **DOCUMENTS**

PARTNERSHIPS VICTORIA PROJECT SUMMARY: NEW SCHOOLS PUBLIC PRIVATE PARTNERSHIP PROJECT — Report tabled by leave (*Mr Merlino*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 4 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Confiscation and Other Matters Amendment Bill 2016
 Corrections Amendment (No body, no parole) Bill 2016
 House Contracts Guarantee Repeal Bill 2016
 Sex Offenders Registration Amendment Bill 2016
 Treasury and Finance Legislation Amendment Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Commissioner for Environmental Sustainability Act 2003 — Strategic Audit: Implementation of Environmental Management Systems in Victorian Government 2014–15

Essential Services Commission — Report into Supporting Customers, Avoiding Labels

Financial Management Act 1994 — 2015–16 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2015

Inquiries Act 2014 — Report of the Victorian Fire Services Review: Drawing a line, building stronger services

Municipal Association of Victoria — Report 2014–15

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Ballarat — C189, C199

Buloke — C31
 Cardinia — C162
 Casey — C206
 Glen Eira — C144
 Glenelg — C78
 Greater Geelong — C248, C324
 Greater Shepparton — C185
 Indigo — C65
 Kingston — C128
 Knox — C131
 Melbourne — C286
 Melton — C161
 Mornington Peninsula — C188 Part 2
 Whitehorse — C155
 Yarra — C196
 Yarra Ranges — C138, C151

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 5.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Kardinia Park Stadium Act 2016 — Whole Act — 16 March 2016 (*Gazette S55, 15 March 2016*).

- 10 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 15 March 2016
 Children Legislation Amendment Bill 2016
 Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015

On 22 March 2016
 Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015.

- 11 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

House Contracts Guarantee Repeal Bill 2016
 Treasury and Finance Legislation Amendment Bill 2016.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 24 March 2016:

Crimes Legislation Amendment Bill 2016
 Fines Reform and Infringements Acts Amendment Bill 2016
 Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015
 Parliamentary Budget Officer Bill 2016
 Sex Offenders Registration Amendment Bill 2016

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

13 **STATEMENTS BY MEMBERS** — Statements by members were made.

14 **FINES REFORM AND INFRINGEMENTS ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Under standing orders, Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

15 **SEX OFFENDERS REGISTRATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

16 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.27 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 67 — Wednesday 23 March 2016

1 The Speaker took the Chair and read the Prayer.

2 **WITNESS PROTECTION AMENDMENT BILL 2016** — Mr Scott obtained leave to bring in a Bill *for an Act to amend the Witness Protection Act 1991 to extend its scope, improve the governance and administration of protection and assistance provided under that Act and promote community*

confidence in its operation and to make consequential amendments to other Acts, to amend the Crimes Act 1958 to create a new offence relating to intimidation towards, and reprisals against, witnesses, and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Bus Route 782 — Requesting that the Legislative Assembly calls on Public Transport Victoria to ensure the communities of French Island, Phillip Island and Mornington using the bus route 782 can end their journey at the Stony Point Ferry terminal, bearing 448 signatures (*Mr Burgess*)

Bus Route 400 — Requesting that the Legislative Assembly calls on the Minister for Public Transport to review bus route 400 for residents of Deer Park, bearing 241 signatures (*Ms Kairouz*)

Christmas Carol Ban in Government Schools — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 393 signatures (*Ms Staley*)

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 15 signatures (*Ms Staley*).

Petitions ordered to be tabled.

4 **PETITION — BUS ROUTE 782** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

5 **PETITION — CHRISTMAS CAROL BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Warrandyte on Tuesday 22 March 2016 be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.

6 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Warrandyte on Tuesday 22 March 2016 be taken into consideration tomorrow (*Mr Smith, Warrandyte*) — put and agreed to.

7 **PETITION — CHRISTMAS CAROL BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

8 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

9 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Bullying and Harassment in the Health Sector — Ordered to be published

Local Government Service Delivery: Recreational Facilities — Ordered to be published

Patient Safety in Victorian Public Hospitals — Ordered to be published

Statutory Rules under the following Acts:

Fisheries Act 1995 — SR 10

Road Management Act 2004 — SR 11

Road Safety Act 1986 — SR 12
Trustee Companies Act 1984 — SR 13

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 10.

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Aboriginal Heritage Amendment Bill 2015 without amendment.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates

Public Accounts and Estimates Committee's 2015–16 Budget Estimates Hearings Alert Report.

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Land (Revocation of Reservations) Bill 2015 without amendment.

14 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2016** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Walsh*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 6 April 2016.

15 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (COMMUNITY SAFETY) BILL 2016** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 6 April 2016.

16 **LIVESTOCK DISEASE CONTROL AMENDMENT BILL 2016** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Walsh*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 6 April 2016.

17 **SEX OFFENDERS REGISTRATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

18 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

19 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

20 **SEX OFFENDERS REGISTRATION AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

21 **CRIMES LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

22 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

23 **CRIMES LEGISLATION AMENDMENT BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

24 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (A STRONGER SYSTEM) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.30 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 68 — Thursday 24 March 2016

1 The Speaker took the Chair and read the Prayer.

2 **DOCUMENTS**

REVIEW OF THE WITNESS PROTECTION ACT 1991 — Tabled by leave (*Mr Scott*).

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following documents in accordance with an Act of Parliament:

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 13.

3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 12 April 2016 (*Ms Allan*) — put and agreed to.

4 **STATEMENTS BY MEMBERS** — Statements by members were made.

5 **WITNESS PROTECTION AMENDMENT BILL 2016** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 7 April 2016.

6 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (A STRONGER SYSTEM) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

7 **PARLIAMENTARY BUDGET OFFICER BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

10 **PARLIAMENTARY BUDGET OFFICER BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 22 March 2016 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **FINES REFORM AND INFRINGEMENTS ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **SEX OFFENDERS REGISTRATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **CRIMES LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (A STRONGER SYSTEM) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 15 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.28 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 69, 70 and 71

No 69 — Tuesday 12 April 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **JUSTICE LEGISLATION (EVIDENCE AND OTHER ACTS) AMENDMENT BILL 2016** — Mr Scott on behalf of Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Evidence (Miscellaneous Provisions) Act 1958** in relation to the use of audio visual links, to amend the **Legal Aid Act 1978** in relation to the board of directors of Victoria Legal Aid, to make minor and consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **LOCAL GOVERNMENT (GREATER GEELONG CITY COUNCIL) BILL 2016** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to dismiss the Greater Geelong City Council and provide for a general election for that Council, to make related amendments to the **City of Greater Geelong Act 1993** and for other purposes*'; and the Bill was read a first time.

Motion made and question — That under SO 61(2) the bill be read a second time later this day (*Ms Hutchins*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 6 **LAND (REVOCATION OF RESERVATIONS — METROPOLITAN LAND) BILL 2016** — Ms Neville obtained leave to bring in a Bill '*for an Act to revoke permanent reservations of certain land at Cranbourne, Fitzroy and Springvale, to provide for the reservation of certain land for specified purposes and to save certain leases and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

- 7 **VICTORIAN FUNDS MANAGEMENT CORPORATION AMENDMENT BILL 2016** — Mr Pallas obtained leave to bring in a Bill '*for an Act to amend the Victorian Funds Management Act 1994 and the Borrowing and Investment Powers Act 1987 to make further provision as to the powers and procedures of the Victorian Funds Management Corporation and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **ROAD MANAGEMENT AMENDMENT (BUS STOP DELIVERY POWERS) BILL 2016** — Ms Allan obtained leave to bring in a Bill '*for an Act to amend the Road Management Act 2004 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR COMMUNICATION STANDARDS) BILL 2016** — Ms Allan obtained leave to bring in a Bill '*for an Act to amend the Public Administration Act 2004 to provide for a legislative framework for governance of communication and advertising by public sector bodies and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Christmas Carol Ban in Government Schools** — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 1296 signatures (*Mr Bull, Gippsland East*)
- Rivermouth Road, Eagle Point** — Requesting that the Legislative Assembly reviews the Government's proposal to close the last two kilometres of Rivermouth Road, Eagle Point, bearing 1008 signatures (*Mr Bull, Gippsland East*)
- Yarram Primary School** — Requesting that the Legislative Assembly calls on the Government to fund a rebuild of Yarram Primary School in the 2016–17 Budget, bearing 907 signatures (*Mr O'Brien, Gippsland South*)
- Transport Link for the Gippsland Region** — Requesting that the Legislative Assembly directs the Government to adopt the Liberal–Nationals Coalition's plan to invest in major rail infrastructure projects and service improvements to deliver a better public transport link for the Gippsland region, bearing 100 signatures (*Mr Northe*).
- Petitions ordered to be tabled.
- 11 **PETITION — CHRISTMAS CAROL BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 12 **PETITION — RIVERMOUTH ROAD, EAGLE POINT** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 13 **PETITION — YARRAM PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

14 **DOCUMENTS**

COMMISSION OF INQUIRY INTO GREATER GEELONG CITY COUNCIL — Report tabled by leave (*Ms Hutchins*).

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 5 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Confiscation and Other Matters Amendment Bill 2016
 Education and Training Reform Amendment (Miscellaneous) Bill 2016
 Livestock Disease Control Amendment Bill 2016
 Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Bill 2016
 Witness Protection Amendment Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Lakeside Stadium Reserve
 Victoria Royal Park Reserve

Orders under s 17D granting leases over:

Mordialloc-Mentone Beach Park
 Victoria Royal Park Reserve

Gambling Regulation Act 2003 — Amendment to Category 1 Public Lottery Licence under s 5.3.19

Inquiries Act 2014 — Report of the Royal Commission into Family Violence (eight Volumes) — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Accountability and Oversight Committee's reports into Victorian oversight agencies for 2013–14 and 2014–15

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Ararat — C32
 Bass Coast — C134
 Boroondara — C178, C235, C237
 Brimbank — C161, C162
 Colac Otway — C89
 Corangamite — C39, C42
 East Gippsland — C121, C127
 Glen Eira — C139, C140
 Glenelg — C57
 Greater Bendigo — C193, C214, C216, C218
 Greater Geelong — C280
 Latrobe — C94
 Mansfield — C38

Mildura — C85
 Moira — C83
 Moyne — C55
 Stonnington — C224, C226, C228
 Wellington — C85, C88
 Whittlesea — C194
 Yarra — C213

Statutory Rules under the following Acts:

Geothermal Energy Resources Act 2005 — SR 15
Magistrates' Court Act 1989 — SR 17
Supreme Court Act 1986 — SR 14
Victorian Energy Efficiency Target Act 2007 — SR 16

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 11, 12, 14, 15, 16, 17
 Documents under s 16B in relation to the *Domestic Animals Act 1994* — Order Exempting Holders of Certain Scientific Licences from Various Provisions

Wildlife Act 1975:

Wildlife (Control of Game Hunting) Notice No 1/2016
 Wildlife (Prohibition of Game Hunting) Notices (*Gazette S58, 15 March 2016*), (*Gazette S73, 24 March 2016*) (two documents).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Act 2016 — Parts 1 to 7 — 5 April 2016 (*Gazette S86, 5 April 2016*)
Justice Legislation Amendment Act 2015 — Part 7 — 6 April 2016 (*Gazette S86, 5 April 2016*).

15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crown Land Legislation Amendment (Canadian Regional Park and Other Matters) Bill 2015 without amendment.

16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Access to Medicinal Cannabis Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration later this day.

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Building Legislation Amendment (Consumer Protection) Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration later this day.

18 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 5 April 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Aboriginal Heritage Amendment Bill 2015
 Crown Land Legislation Amendment (Canadian Regional Park and Other Matters) Bill 2015
 Land (Revocation of Reservations) Bill 2015.

19 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Witness Protection Amendment Bill 2016.

20 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended so as to allow, on Wednesday 13 April 2016:

- (1) the order of business to be:
 - (a) formal business;
 - (b) statements by members (SO 40);
 - (c) statements on parliamentary committee reports;
 - (d) motion to take note of the Royal Commission into Family Violence's report;
 - (e) question time at 2.00 pm;
 - (f) government business;
 - (g) interruption of business for the adjournment under Sessional Order 3;
- (2) the matter of public importance be omitted from the order of business on that day —

(*Ms Allan*) — put, after debate, and agreed to.

21 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 5 May 2015 be amended to extend the reporting date for the Economic, Education, Jobs and Skills Committee's inquiry into portability of long service leave entitlements to no later than 30 June 2016 (*Ms Allan*) — put and agreed to.

22 **PRIVILEGES COMMITTEE** — Motion made, by leave, and question — That Mr Clark be appointed a member of the Privileges Committee (*Ms Allan*) — put and agreed to.

23 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 14 April 2016:

Confiscation and Other Matters Amendment Bill 2016
 Education and Training Reform Amendment (Miscellaneous) Bill 2016
 Gene Technology Amendment Bill 2015
 Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Bill 2016
 Transparency in Government Bill 2015

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

24 **STATEMENTS BY MEMBERS** — Statements by members were made.

25 **LOCAL GOVERNMENT (GREATER GEELONG CITY COUNCIL) BILL 2016** — *Declaration of Bill as urgent — Limitation of debate — (Ms Hutchins)* declared that this Bill was an urgent Bill and moved — That this Bill be considered an urgent Bill.

The Acting Speaker having ascertained that 20 members approved of the proposed motion being put —

Question — That the Bill be considered an urgent Bill — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Motion made and question — That the consideration of the remaining stages of the bill be completed by 5.30 pm today (*Ms Hutchins*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 26 **LOCAL GOVERNMENT (GREATER GEELONG CITY COUNCIL) BILL 2016** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*) — and, after debate —

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Government has consulted the community on the best model of elected local government in the City of Greater Geelong and for the return of elected local government in 2017' (*Mr Katos*) — and, after debate —

Limitation of debate — The time allotted for the remaining stages of the Bill having expired.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this be now read a Bill read a second time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this be now read a Bill read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 27 **BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 28 **ACCESS TO MEDICINAL CANNABIS BILL 2015** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 29 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 1 and 2 be postponed until later this day.

- 30 **TRANSPARENCY IN GOVERNMENT BILL 2015** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 31 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 70 — Wednesday 13 April 2016

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Infant Viability Bill 2015 — Requesting that the Legislative Assembly supports the Infant Viability Bill 2015 introduced in the Legislative Council, bearing 98 signatures (*Mr Blackwood*)

Dangerous Traffic in Torquay — Requesting that the Legislative Assembly supports the installation of traffic lights at the intersection of Surf Coast Highway and Beach Road, Torquay, bearing 509 signatures (*Mr Katos*).

Petitions ordered to be tabled.

3 **PETITION — INFANT VIABILITY BILL 2015** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Mr Blackwood*) — put and agreed to.

4 **PETITION — DANGEROUS TRAFFIC IN TORQUAY** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crimes (Assumed Identities) Act 2004 — Report 2014–15 under s 31

Melbourne City Link Act 1995 — Chubb Sub-Lease

Statutory Rule under the *Local Government Act 1989* — SR 18

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Amendment Notice (*Gazette S82, 4 April 2016*).

6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Bill 2015

Transport Accident Amendment Bill 2015

Victoria Police Amendment (Merit-based Transfer) Bill 2016.

7 **ORDER OF THE DAY DISCHARGED** — Motion made, by leave, and question — That the following Order of the Day, Government Business, be read and discharged:

Addresses On Family Violence — That this House takes note of the addresses regarding the prevention of family violence, led by Ms Rosie Batty on 26 November 2015 — Resumption of debate

(*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates.

- 10 **ROYAL COMMISSION INTO FAMILY VIOLENCE** — Motion made and question proposed — That this House takes note of the Report of the Royal Commission into Family Violence (*Mr Andrews*) — and, after debate —

Business having been interrupted at 2.00 pm under the resolution of the House on Tuesday 12 April 2016.

- 11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 13 **ROYAL COMMISSION INTO FAMILY VIOLENCE** — Resumption of debate on question — That this House takes note of the Report of the Royal Commission into Family Violence.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **JUSTICE LEGISLATION (EVIDENCE AND OTHER ACTS) AMENDMENT BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 27 April 2016.

- 15 **LAND (REVOCATION OF RESERVATIONS — METROPOLITAN LAND) BILL 2016** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 27 April 2016.

- 16 **VICTORIAN FUNDS MANAGEMENT CORPORATION AMENDMENT BILL 2016** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 27 April 2016.

- 17 **ROAD MANAGEMENT AMENDMENT (BUS STOP DELIVERY POWERS) BILL 2016** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 27 April 2016.

- 18 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR COMMUNICATION STANDARDS) BILL 2016** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 27 April 2016.

- 19 **TRANSPARENCY IN GOVERNMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (COMMUNITY SAFETY) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.35 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 71 — Thursday 14 April 2016

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Mentone Activity Centre — Requesting that the Legislative Assembly calls on the Government to reverse its decision to apply discretionary height limits and re-instate mandatory height limits for the Mentone Shopping Centre, bearing 282 signatures (*Mr Thompson, Sandringham*)

Location of Childcare Centres — Requesting that the Legislative Assembly calls on the Government to amend the planning scheme to require municipal councils and VCAT to restrict the location of large commercial childcare centres to general commercial business zones, bearing 67 signatures (*Mr Thompson, Sandringham*)

Public Transport in Sandringham — Requesting that the Legislative Assembly calls on the Minister for Public Transport to maintain and improve the delivery of reliable public transport services within the Sandringham electorate, bearing 9 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

3 **PETITION — MENTONE ACTIVITY CENTRE** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

4 **PETITION — LOCATION OF CHILDCARE CENTRES** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

5 **PETITION — PUBLIC TRANSPORT IN SANDRINGHAM** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

6 **DOCUMENTS**

UNIVERSITY OF DIVINITY — Report 2015 tabled by leave (*Mr Merlino*).

DOCUMENT BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

Magistrates' Court of Victoria — Report 2014–15

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Bendigo Kangan Institute — Report 2015

Box Hill Institute — Report 2015

Centre for Adult Education — Report 2015

Chisholm Institute — Report 2015

Deakin University — Report 2015

Driver Education Centre of Australia Ltd — Report 2015

Federation University Australia — Report 2015

Gordon Institute of TAFE — Report 2015

Goulburn Ovens Institute of TAFE — Report 2015

Hazelwood Mine Fire Inquiry Report 2015–16 Volume 4 — Mine Rehabilitation — Ordered to be published

Holmesglen Institute — Report 2015

La Trobe University — Report 2015

Melbourne Polytechnic — Report 2015

Melbourne University — Report 2015 (two documents)

Monash University — Report 2015

RMIT University — Report 2015

South West Institute of TAFE — Report 2015

Sunraysia Institute of TAFE — Report 2015

Swinburne University of Technology — Report 2015

Victoria University — Report 2015

Wodonga Institute of TAFE — Report 2015.

- 7 **ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE** — Motion made, by leave, and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry be referred to the Environment, Natural Resources and Regional Development Committee for consideration and report no later than 30 March 2017 into the benefits of Parks Victoria and other agencies such as the Game Management Authority's use of community hunting organisations and individuals in the control of invasive animals on Crown land including but not limited to the following:

- (1) assessment of the biodiversity outcomes, community safety and limitations of the trial conducted by Parks Victoria on control of deer populations in a national park;
- (2) consideration of the application of these types of programs for other invasive animal species in partnership with Crown land managers;
- (3) assessment of the relative costs and benefits, financial or otherwise, of other forms of pest control in national parks —

(Ms Allan) — put and agreed to.

- 8 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 9 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made and question — That so much of standing and sessional orders be suspended so as to allow, on Wednesday 27 April 2016, the sitting to start at 12.00 noon and the order of business to be:

- (1) question time;
- (2) formal business;
- (3) statements by members (SO 40);
- (4) government business;
- (5) interruption of business for the adjournment under Sessional Order 3 —

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 10 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (COMMUNITY SAFETY) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 13 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (COMMUNITY SAFETY) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Judicial Commission of Victoria Bill 2015 without amendment.

- 16 **CONFISCATION AND OTHER MATTERS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Wednesday 27 April 2016 at 12 noon (*Ms Allan*) — put and agreed to.

- 18 **GENE TECHNOLOGY AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 12 April 2016 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **TRANSPARENCY IN GOVERNMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (COMMUNITY SAFETY) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **CONFISCATION AND OTHER MATTERS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 23 **CONFISCATION AND OTHER MATTERS AMENDMENT BILL 2016** — The Deputy Speaker announced that the Speaker had received a report from the Clerk that he has made the following correction in the Bill:

In Clause 12, line 29, after '35' he has inserted 'A' so the line now reads 'In section 35A(2) of the **Confiscation Act 1997**,'.

Business having been interrupted at 5.03 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put and agreed to.

- 24 **ROYAL COMMISSION INTO FAMILY VIOLENCE** — Order read for resuming debate on question — That this House takes note of the Report of the Royal Commission into Family Violence; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 25 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Local Government (Greater Geelong City Council) Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 26 **LOCAL GOVERNMENT (GREATER GEELONG CITY COUNCIL) BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

-
- 27 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.
- 28 **ADJOURNMENT** — The Deputy Speaker left the Chair, after debate, at 6.55 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
No 72

No 72 — Wednesday 27 April 2016

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

4 **STATE TAXATION AND OTHER ACTS AMENDMENT BILL 2016** — Mr Pallas obtained leave to bring in a Bill 'for an Act to amend the *Duties Act 2000*, the *Fire Services Property Levy Act 2012*, the *First Home Owner Grant Act 2000*, the *Land Tax Act 2005*, the *Mineral Resources (Sustainable Development) Act 1990*, the *Payroll Tax Act 2007*, the *Planning and Environment Act 1987*, the *State Taxation Acts Further Amendment Act 2015* and the *Taxation Administration Act 1997*, and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Additional Frontline Police — Requesting that the Legislative Assembly calls on the Government to commit to providing additional frontline police numbers, bearing 57 signatures (*Ms McLeish*)

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 27 signatures (*Ms McLeish*).

Petitions ordered to be tabled.

6 **PETITION — ADDITIONAL FRONTLINE POLICE** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

7 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

8 **DOCUMENTS**

BUDGET PAPERS 2016–17 —

Budget Paper No 1 — Treasurer's Speech

Budget Paper No 4 — State Capital Program

Budget Overview

Budget Information Paper — Rural and Regional

tabled by leave (*Mr Pallas*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Hanlon Park Reserve

Financial Management Act 1994:

Budget Paper No 2 — Strategy and Outlook 2016–17

Budget Paper No 3 — Service Delivery 2016–17

Budget Paper No 5 — Statement of Finances 2016–17 incorporating Quarterly Financial Report No 3

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 16 (*Gazette G14, 7 April 2016*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Benalla — C29

Boroondara — C214

Brimbank — C179 Part 1

Casey — C205

Colac Otway — C84

Hindmarsh — C7

Loddon — C36

Melbourne — C186 Part 2

Moonee Valley — C161

Stonnington — C185 Part 1, C185 Part 2

Wangaratta — C48

Whitehorse — C172 Part 1

Professional Standards Act 2003:

Australian Computer Society and the Royal Institute of Chartered Surveyors Valuers Ltd Schemes under s 14 (*Gazette G51, 24 December 2015*)

Australian Property Institute Valuers Ltd and the Law Institute of Victoria Ltd Schemes under s 14 (*Gazette G16, 21 April 2016*)

Statutory Rules under the following Acts:

Building Act 1993 — SR 21

Children, Youth and Families Act 2005 — SR 19

Drugs, Poisons and Controlled Substances Act 1981 — SR 20

Heavy Vehicle National Law Application Act 2013 — SR 25

Marine (Drug, Alcohol and Pollution Control) Act 1988 — SR 22

Rail Safety (Local Operations) Act 2006 — SR 23

Road Safety Act 1986 — SR 24

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 18, 19, 20, 21, 22, 23, 24, 25

Documents under s 16B in relation to the *Environment Protection Act 1970* — Industrial Waste — Classification for Architectural and Decorative Paint

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice (*Gazette S95, 13 April 2016*).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Bail Amendment Act 2016 — Remaining provisions — 2 May 2016 (*Gazette S103, 19 April 2016*)
Road Legislation Amendment Act 2016 — Remaining provisions — 15 April 2016 (*Gazette S92, 12 April 2016*).

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Sex Offenders Registration Amendment Bill 2016 without amendment.
- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Health Complaints Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 11 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 15 April 2016
 Local Government (Greater Geelong City Council) Bill 2016

On 19 April 2016
 Building Legislation Amendment (Consumer Protection) Bill 2015
 Judicial Commission of Victoria Bill 2015
 Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Bill 2015
 Transport Accident Amendment Bill 2015
 Victoria Police Amendment (Merit-based Transfer) Bill 2016.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 26 April 2016, given the royal assent to the following bills, presented to her by the Clerk of the Legislative Council for and in the absence of the Clerk of the Parliaments:

Access to Medicinal Cannabis Bill 2015
 Sex Offenders Registration Amendment Bill 2016.

- 13 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Victorian Funds Management Corporation Amendment Bill 2016.

- 14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (2016–2017) Bill 2016, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2016/2017.

Estimates ordered to be tabled.

- 15 **APPROPRIATION (2016–2017) BILL 2016** — Mr Pallas obtained leave to bring in a Bill '*for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary services of the Government for the financial year 2016/2017 and for other purposes*'; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 16 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2016–2017) Bill 2016, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2016/2017.

Estimates ordered to be tabled.

- 17 **APPROPRIATION (PARLIAMENT 2016–2017) BILL 2016** — Ms Allan obtained leave to bring in a Bill '*for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2016/2017 and for other purposes*'; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 18 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 3 May 2016 (*Ms Allan*) — put and agreed to.

- 19 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 20 **HEALTH COMPLAINTS BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 21 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **HOUSE CONTRACTS GUARANTEE REPEAL BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Eren*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 3 to 5 inclusive, be postponed until later this day.

-
- 24 **LAND (REVOCAION OF RESERVATIONS — METROPOLITAN LAND) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 73 and 74

No 73 — Tuesday 3 May 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **LAND (REVOCAION OF RESERVATIONS — REGIONAL VICTORIA LAND) BILL 2016** — Ms Neville obtained leave to bring in a Bill *'for an Act to revoke permanent reservations of certain land at Burke's Flat, Campbelltown, Lake Charm and Walpeup and to revoke a related Crown grant and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2016** — Ms Allan obtained leave to bring in a Bill *'for an Act to amend the Agricultural and Veterinary Chemicals (Control of Use) Act 1992, the Domestic Animals Act 1994, the Prevention of Cruelty to Animals Act 1986, the Public Administration Act 2004, the Veterinary Practice Act 1997 and the Wildlife Act 1975 and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Special Religious Instruction in Government Schools** — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 11 signatures (*Ms McLeish*)
 - Hawksburn, Toorak and Armadale Stations Peak Hour Service** — Requesting that the Legislative Assembly permanently adopts the current temporary peak hour timetable operating at Hawksburn, Toorak and Armadale stations, bearing 250 signatures (*Mr Hibbins*)
 - Sandringham Hospital 24 Hour Emergency Department** — Requesting that the Legislative Assembly calls on the Government to maintain the 24 hour emergency department services at the Sandringham Hospital, bearing 7250 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.
- 7 **PETITION — SANDRINGHAM HOSPITAL 24 HOUR EMERGENCY DEPARTMENT** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 8 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 9 **PETITION — HAWKSBURN, TOORAK AND ARMADALE STATIONS PEAK HOUR SERVICE** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

10 DOCUMENTS

ELECTORAL MATTERS COMMITTEE — Ms Asher, Chair, presented a report from the Electoral Matters Committee on the Inquiry into the conduct of the 2014 Victorian State Election, together with appendices, extract from the proceedings, minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract from the proceedings and minority report published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 6 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2016–2017) Bill 2016
 Appropriation (Parliament 2016–2017) Bill 2016
 Education and Training Reform Amendment (Miscellaneous) Bill 2016
 Infant Viability Bill 2015
 Justice Legislation (Evidence and Other Acts) Amendment Bill 2016
 Land (Revocation of Reservations — Metropolitan Land) Bill 2016
 Local Government (Greater Geelong City Council) Act 2016
 Public Administration Amendment (Public Sector Communication Standards) Bill 2016
 Road Management Amendment (Bus Stop Delivery Powers) Bill 2016
 Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Bill 2016
 Victorian Funds Management Corporation Amendment Bill 2016
 Witness Protection Amendment Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Independent Broad-based Anti-corruption Commission — Operation Ord: An investigation into the conduct of officers of the Department of Education and Training, in connection with the use of 'banker schools' and related activities — Ordered to be published

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 31 (*Gazette G17, 28 April 2016*)

Statutory Rules under the following Acts:

Bail Act 1977 — SR 26
Building Act 1993 — SR 31
Children, Youth and Families Act 2005 — SR 27
Non-Emergency Patient Transport Act 2003 — SR 28
Subdivision Act 1988 — SR 30
Transfer of Land Act 1958 — SRs 29, 30

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 28, 29, 30, 31

Wildlife Act 1975:

Wildlife (Prohibition of Game Hunting) Notice (*Gazette S99, 17 April 2016*)
 Wildlife (Prohibition of Game Hunting) Amendment Notice (*Gazette S111, 24 April 2016*).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Justice Legislation Further Amendment Act 2016 — Whole Act (except ss 4, 5, 6 and 8 and Part 5) — 1 May 2016 (*Gazette S114, 26 April 2016*)

Public Health and Wellbeing Amendment (Safe Access Zones) Act 2015 — Whole Act — 2 May 2016 (*Gazette S114, 26 April 2016*).

- 11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had today given the royal assent to the Health Complaints Bill 2016, presented to her by the Clerk of the Parliaments.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 7.00 pm on Wednesday 4 May 2016:

House Contracts Guarantee Repeal Bill 2016

Land (Revocation of Reservations — Metropolitan Land) Bill 2016

Treasury and Finance Legislation Amendment Bill 2016

(*Ms Allan*) — put, after debate, and agreed to.

- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 14 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.

- 15 **STATE TAXATION AND OTHER ACTS AMENDMENT BILL 2016** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 17 May 2016.

- 16 **APPROPRIATION (2016–2017) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.26 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 74 — Wednesday 4 May 2016

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Bayswater Level Crossing Removal Project — Requesting that the Legislative Assembly calls on the Government to keep the existing three lane carriageway on Mountain Highway, bearing 1342 signatures (*Ms Victoria*)

Infant Viability Bill 2015 — Requesting that the Legislative Assembly supports the Infant Viability Bill 2015 introduced in the Legislative Council, bearing 1236, 3908, 1472 and 1542 signatures (*Mr Clark, Mr Angus, Ms Blandthorn and Mr Wells respectively*)

Safe Schools Program — Requesting that the Legislative Assembly calls on the Government to stop compelling Victorian secondary schools to implement the Safe Schools program and allow parents to decide if their children will participate in the program, bearing 693 signatures (*Mr Angus*)

Christmas Carol Ban in Government Schools — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 13 signatures (*Mr Northe*)

Bus Route 788 — Requesting that the Legislative Assembly increases the frequency of the 788 bus service, connects the route with Frankston Hospital and Monash University, Frankston and publishes the Mornington Peninsula Bus Network Review, bearing 247 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

3 **PETITION — BAYSWATER LEVEL CROSSING REMOVAL PROJECT** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

4 **PETITION — INFANT VIABILITY BILL 2015** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.

5 **PETITION — SAFE SCHOOLS PROGRAM** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.

6 **PETITION — BUS ROUTE 788** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

7 **PETITION — CHRISTMAS CAROL BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

8 **DOCUMENTS**

GOVERNMENT RESPONSE TO THE COMMUNITY VISITORS REPORT 2014–15 — Tabled by leave (*Mr Foley*).

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the Inquiry into the 2013–14 and 2014–15 Financial and Performance Outcomes, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Managing and Reporting on the Performance and Cost of Capital Projects — Ordered to be published

Drugs, Poisons and Controlled Substances Act 1981 — Report 2015 under s 96

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates

Statutory Rules under the following Acts:

Building Act 1993 — SR 33

EastLink Project Act 2004 — SR 36

Electricity Safety Act 1998 — SR 32

Residential Tenancies Act 1997 — SR 34

Transport (Compliance and Miscellaneous) Act 1983 — SR 35

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 32, 33, 34.

9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Consumer Acts and Other Acts Amendment Bill 2015

National Electricity (Victoria) Further Amendment Bill 2015

Occupational Licensing National Law Repeal Bill 2015.

10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 24 May 2016 (*Ms Allan*) — put and agreed to.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the Inquiry into the 2013–14 and 2014–15 Financial and Performance Outcomes

Electoral Matters Committee's Report on the Inquiry into the Conduct of the 2014 Victorian State Election.

13 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion moved in an amended form, by leave, and question — That so much of standing and sessional orders be suspended on Tuesday 24 May 2016, so as to allow:

- (1) The sitting of the House to be suspended at 1.45 pm.
- (2) The Speaker to take the Chair at 2.00 pm, interrupt business, and the House proceed in accordance with paragraphs (3) to (7).
- (3) Legislative Council members to be admitted onto the floor of the House and to remain until the motion for a parliamentary apology for laws criminalising homosexuality and the harms caused has concluded.

- (4) The Premier to move a motion for a parliamentary apology for laws criminalising homosexuality and the harms caused and the Leader of the Opposition, Minister for Equality and one representative from each other party, including Council representatives to speak on the motion; and members speaking after the Minister for Equality to each speak for up to five minutes.
- (5) The Speaker to put the question on the motion at the conclusion of the contributions referred to in paragraph (4).
- (6) The Minister for Equality to immediately move a motion to take note of the apology.
- (7) Any business under discussion at the 1.45 pm suspension to be resumed at the completion of the take note motion or when the take note motion is adjourned —

(Mr Foley) — put, after debate, and agreed to.

Business having been interrupted at 11.00 am under sessional orders.

14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

16 **INVITATION TO LEGISLATIVE COUNCIL MEMBERS** — Motion made and question — That:

- (1) The Legislative Assembly invites members of the Legislative Council to attend a sitting of the Assembly in the Legislative Assembly Chamber on Tuesday 24 May 2016 at 2.00 pm for the consideration of the motion for a parliamentary apology for laws criminalising homosexuality and the harms caused.
- (2) The lower public gallery on the Opposition side of the House be deemed part of the Legislative Assembly Chamber and the Assembly standing orders be applied for the time that Council members are invited onto the floor of the House.
- (3) That a message be sent to the Legislative Council informing them accordingly —

(Mr Foley) — put and agreed to.

17 **AMENDMENT TO SESSIONAL ORDERS** — Motion made and question — That the following new sessional order be adopted, to come into operation with immediate effect —

'18 Procedure for a division

Standing Order 164(1) is suspended and the following to apply:

When a division is requested, the Clerk will ring the bells for four minutes as indicated by the timer.'

(Mr Scott) — put, after debate, and agreed to.

18 **LAND (REVOCATION OF RESERVATIONS — REGIONAL VICTORIA LAND) BILL 2016** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 18 May 2016.

- 19 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2016** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Walsh*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 18 May 2016.

- 20 **APPROPRIATION (2016–2017) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

- 21 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FIREFIGHTERS' INDUSTRIAL AGREEMENT** — The House was informed that Mr Battin had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House:

- (1) Calls on Premier Daniel Andrews to reject an EBA between the United Firefighters Union and CFA that contains conditions that:
 - (a) allow the United Firefighters Union to direct or impede CFA activities;
 - (b) interfere with operational duties of the CFA; or
 - (c) impact on the rights of volunteer firefighters; and
- (2) Calls on the Andrews Labor Government to stop trying to force the CFA Board and the CFA CEO to ignore s 6 of the *Country Fire Authority Act 1958*, which provides that:
 - (a) the CFA has a responsibility to develop policy and organisational arrangements that encourage, maintain and strengthen the capacity of volunteer officers and members;
 - (b) the CFA is first and foremost a volunteer-based organisation, in which volunteer officers and members are supported by employees in a fully integrated manner; and
 - (c) the Volunteer Charter requires the CFA to recognise, value, respect and promote the contribution of volunteer officers and members to the well-being and safety of the community and to consult with Volunteer Fire Brigades Victoria Incorporated on behalf of volunteer officers and members on any matter that might reasonably be expected to affect them.'

Mr Battin addressed the House — Discussion followed.

- 22 **APPROPRIATION (2016–2017) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Blandthorn*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **APPROPRIATION (PARLIAMENT 2016–2017) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 3 May 2016 had expired.

- 24 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 25 **HOUSE CONTRACTS GUARANTEE REPEAL BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 26 **LAND (REVOCATION OF RESERVATIONS — METROPOLITAN LAND) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 7.01 pm under sessional orders.

- 27 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.28 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 75, 76 and 77

No 75 — Tuesday 24 May 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 4 **TOBACCO AMENDMENT BILL 2016** — Ms Hennessy obtained leave to bring in a Bill *'for an Act to amend the Tobacco Act 1987 to prohibit smoking in outdoor dining areas, to regulate the sale, promotion and use of e-cigarette products and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **CROWN LAND LEGISLATION AMENDMENT BILL 2016** — Ms D'Ambrosio obtained leave to bring in a Bill *'for an Act to amend the Conservation, Forests and Lands Act 1987, the Crown Land (Reserves) Act 1978, the Land Act 1958 and the Land Conservation (Vehicle Control) Act 1972 in relation to regulation-making powers and other miscellaneous matters, to consequentially amend other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **NATIONAL PARKS AND VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL ACTS AMENDMENT BILL 2016** — Ms D'Ambrosio obtained leave to bring in a Bill *'for an Act to amend the National Parks Act 1975 in relation to the Greater Bendigo National Park and to amend the Victorian Environmental Assessment Council Act 2001 in relation to advice, assessments and recommendations and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **RURAL ASSISTANCE SCHEMES BILL 2016** — Mr Pallas obtained leave to bring in a Bill *'for an Act to improve the administration of rural assistance schemes by establishing the Rural Assistance Commissioner as successor to the Rural Finance Corporation of Victoria and repealing the Rural Finance Act 1988 and the Young Farmers' Finance Council Act 1979 and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **OWNERS CORPORATIONS AMENDMENT (SHORT-STAY ACCOMMODATION) BILL 2016** — Ms Garrett obtained leave to bring in a Bill *'for an Act to amend the Owners Corporations Act 2006 to regulate the provision of short-stay accommodation arrangements in lots or parts of lots affected by an owners corporation and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Sandringham Hospital 24 Hour Emergency Department — Requesting that the Legislative Assembly calls on the Government to maintain the 24 hour emergency department services at the Sandringham Hospital, bearing 160 and 3132 signatures (*Ms Asher and Mr Thompson, Sandringham respectively*)

Infant Viability Bill 2015 — Requesting that the Legislative Assembly supports the Infant Viability Bill 2015 introduced in the Legislative Council, bearing 1963, 4908, 16 and 2564 signatures (*Mr Watt, Ms Kairouz, Mr Crisp and Mr Katos respectively*)

Murrindindi Shire Rates — Requesting that the Legislative Assembly keeps Murrindindi Shire rates in line with the Consumer Price Index, bearing 67 signatures (*Ms McLeish*).

Petitions ordered to be tabled.

10 **PETITION — SANDRINGHAM HOSPITAL 24 HOUR EMERGENCY DEPARTMENT** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

11 **PETITION — INFANT VIABILITY BILL 2015** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

12 **PETITION — INFANT VIABILITY BILL 2015** — Motion made and question — That the petition presented by the Member for Mildura be taken into consideration tomorrow (*Mr Crisp*) — put and agreed to.

13 **PETITION — MURRINDINDI SHIRE RATES** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

14 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 7 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Infant Viability Bill 2015

Justice Legislation (Evidence and Other Acts) Amendment Bill 2016

Land (Revocation of Reservations — Regional Victoria Land) Bill 2016

Local Government (Greater Geelong City Council) Act 2016

Primary Industries Legislation Amendment Bill 2016

State Taxation and Other Acts Amendment Bill 2016

together with appendices.

Ordered to be tabled and published.

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Ms Halfpenny, Chair, presented the final report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the CFA Training College at Fiskville, together with appendices, minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices and minority report published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Education and Training Reform Act 2006 — Orders under s 3.1.11 (12 orders)

Independent Broad-based Anti-corruption Commission — Operation Darby: An investigation of Nassir Bare's complaint against Victoria Police — Ordered to be published (*tabled in lieu of report*)

circulated under s 162(11) of the Independent Broad-based Anti-corruption Commission Act 2011 on Wednesday 18 May 2016)

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 33, 34 (*Gazette G18, 5 May 2016*)

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Ballarat — C191
 Bass Coast — C142
 Boroondara — C208
 Cardinia — C198, C210
 Darebin — C148
 French Island and Sandstone Island — C5
 Greater Bendigo — C201
 Greater Geelong — C330
 Greater Shepparton — C184
 Melton — C100
 Mitchell — C108
 Moreland — C162
 Mount Alexander — C61
 Nillumbik — C103
 Northern Grampians — C47
 Port Phillip — C111
 Surf Coast — C97
 Victoria Planning Provisions — VC129
 Wellington — C80, C87
 Whitehorse — C153

Road Management Act 2004 — Code of Practice for Management of Infrastructure in Road Reserves

Statutory Rules under the following Acts:

County Court Act 1958 — SR 43
Magistrates' Court Act 1989 — SR 41
Second-Hand Dealers and Pawnbrokers Act 1989 — SR 44
Sentencing Act 1991 — SR 38
Subordinate Legislation Act 1994 — SRs 39, 42
Tobacco Act 1987 — SR 40
Wrongs Act 1958 — SR 37

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 26, 27, 35, 36, 37, 38, 39, 41, 42, 43

Documents under s 16B in relation to the:

Cemeteries and Crematoria Act 2003 — Greater Metropolitan Cemeteries Trust Scale of Fees and Charges

Conveyancers Act 2006 — Conveyancers Professional Indemnity Insurance Order

Victorian Electoral Commission:

Report on the Polwarth District by-election held on 31 October 2015

Report on the South-West Coast District by-election held on 31 October 2015

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Revocation Notice (*Gazette S143, 11 May 2016*)

William Angliss Institute of TAFE — Report 2015.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Assisted Reproductive Treatment Amendment Act 2016 — Part 1 and ss 4(2) and 37 — 18 May 2016 (*Gazette S153, 17 May 2016*)

Education and Training Reform Amendment (Victorian Institute of Teaching) Act 2016 — Part 3 — 1 June 2016 (*Gazette S153, 17 May 2016*)

Occupational Licensing National Law Repeal Act 2016 — Whole Act — 11 May 2016 (*Gazette S139, 10 May 2016*)

Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Act 2016 — Whole Act (except ss 10(2), 15 and 16) — 4 May 2016 (*Gazette S131, 3 May 2016*).

- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Rooming House Operators Bill 2015 without amendment.

- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Fines Reform and Infringements Acts Amendment Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration tomorrow.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration tomorrow.

- 18 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 10 May 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Consumer Acts and Other Acts Amendment Bill 2015
National Electricity (Victoria) Further Amendment Bill 2015
Occupational Licensing National Law Repeal Bill 2015
Rooming House Operators Bill 2015.

- 19 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 26 May 2016:

Appropriation (2016–2017) Bill 2016
Appropriation (Parliament 2016–2017) Bill 2016
Livestock Disease Control Amendment Bill 2016
State Taxation and Other Acts Amendment Bill 2016
Witness Protection Amendment Bill 2016

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

In accordance with the resolution of the House on Wednesday 4 May 2016, sitting suspended from 1.45 pm to 2.00 pm and members of the Legislative Council entered the Chamber.

Business having been interrupted at 2.00 pm in accordance with the resolution of the House of Wednesday 4 May 2016.

20 **PARLIAMENTARY APOLOGY FOR LAWS CRIMINALISING HOMOSEXUALITY AND THE HARMS CAUSED** — Motion made and question —

That this House apologises for laws that criminalised homosexuality in this state — laws which validated hateful views, ruined people's lives, and forced generations of Victorians to suffer in fear, silence and isolation.

These laws did not just punish homosexual acts; they punished homosexual thought. They had no place in a liberal democracy; they have no place anywhere.

The Victorian Parliament and the Victorian Government were at fault. For this, we are sorry. On behalf of this House, we express our deepest regret —

(*Mr Andrews*) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.

21 **PARLIAMENTARY APOLOGY FOR LAWS CRIMINALISING HOMOSEXUALITY AND THE HARMS CAUSED** — Motion made and question — That this House takes note of the parliamentary apology for laws criminalising homosexuality and the harms caused (*Mr Pakula*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

22 **STATEMENTS BY MEMBERS** — Statements by members were made.

23 **PRODUCTION OF DOCUMENTS** — Motion made and question proposed — That under SO 171, this House requires the Government to produce to the House documents relating to the Vertigan Independent Review of State Finances provided to the government in 2011 by 5.00 pm on Monday 23 May 2016 (*Ms Allan*) — and, after debate —

Amendment proposed — That the expression after '5.00 pm' be omitted with the view of inserting in its place the expression 'on Monday 6 June 2016' (*Ms Allan*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 76 — Wednesday 25 May 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Bayswater Level Crossing Removal Project — Requesting that the Legislative Assembly calls on the Government to keep the existing three lane carriageway on Mountain Highway, bearing 944 signatures (*Ms Victoria*)

Infant Viability Bill 2015 — Requesting that the Legislative Assembly supports the Infant Viability Bill 2015 introduced in the Legislative Council, bearing 2793 signatures (*Mr Tilley*)

Blackburn Level Crossing Removal Project — Requesting that the Legislative Assembly calls on the Government to widen the pedestrian underpass at Blackburn railway station, bearing 200 signatures (*Mr Clark*).

Petitions ordered to be tabled.

- 3 **PETITION — BAYSWATER LEVEL CROSSING REMOVAL PROJECT** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

- 4 **PETITION — INFANT VIABILITY BILL 2015** — Motion made and question — That the petition presented by the Member for Benambra be taken into consideration tomorrow (*Mr Tilley*) — put and agreed to.

- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Monitoring Victoria's Water Resources — Ordered to be published
Reducing the Burden of Red Tape — Ordered to be published

Planning and Environment Act 1987 — Notice of approval an amendment to the Melbourne and Port Phillip Planning Scheme — GC44

Professional Standards Act 2003 — Queensland Law Society Professional Standards Scheme under s 14 (*Gazette S134, 5 May 2016*)

Statutory Rules under the following Acts:

Magistrates' Court Act 1989 — SR 45

Victims of Crime Assistance Act 1996 — SR 46

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 45

Victorian Law Reform Commission — Use of Regulatory Regimes in Preventing the Infiltration of Organised Crime into Lawful Occupations and Industries — Ordered to be published.

- 6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Crimes Legislation Amendment Bill 2016

Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Bill 2016.

- 7 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

Public Accounts and Estimates Committee's Report on the Inquiry into the 2013–14 and 2014–15 Financial and Performance Outcomes

Electoral Matters Committee's Report on the Inquiry into the Conduct of the 2014 Victorian State Election.

- 9 **TOBACCO AMENDMENT BILL 2016** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 June 2016.

- 10 **CROWN LAND LEGISLATION AMENDMENT BILL 2016** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 June 2016.

- 11 **NATIONAL PARKS AND VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL ACTS AMENDMENT BILL 2016** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 June 2016.

- 12 **RURAL ASSISTANCE SCHEMES BILL 2016** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 June 2016.

- 13 **OWNERS CORPORATIONS AMENDMENT (SHORT-STAY ACCOMMODATION) BILL 2016** — *Ms Garrett tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Garrett*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 June 2016.

- 14 **FINES REFORM AND INFRINGEMENTS ACTS AMENDMENT BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 15 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (A STRONGER SYSTEM) BILL 2015** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

Business having been interrupted at 11.00 am under sessional orders.

- 16 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 17 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

- 18 **APPROPRIATION (2016–2017) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Motion made and question — That the debate be adjourned until later this day (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Business having been interrupted at 2.00 pm under sessional orders.

19 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

20 **PRODUCTION OF DOCUMENTS** — Order read for resuming debate on question — That under SO 171, this House requires the Government to produce to the House documents relating to the Vertigan Independent Review of State Finances provided to the government in 2011 by 5.00 pm on Monday 23 May 2016 — *and on the amendment* — That the expression after '5.00 pm' be omitted with the view of inserting in its place the expression 'on Monday 6 June 2016'.

The Speaker ruled the amendment out of order.

Amendment proposed — That the expression after '5.00 pm' be omitted with the view of inserting in its place the expression 'on Monday 6 June 2016' (*Mr Pearson*) — and, after debate —

Question — That the question be now put (*Ms Hennessy*) — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the amendment be agreed to — accordingly put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the motion, as amended, be agreed to — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 21 **APPROPRIATION (2016–2017) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 10 and 11, be postponed until later this day.

- 23 **LIVESTOCK DISEASE CONTROL AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 77 — Thursday 26 May 2016

- 1 The Speaker took the Chair and read the Prayer.
- 2 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Speaker announced that he had received the following letter from the Governor:

25 May 2016

The Hon Telmo Languiller MP
Speaker of the Legislative Assembly
Parliament House
Spring Street
East Melbourne VIC 3002

Dear Speaker

I write to advise that I have received the resignation of the Honourable Damian Drum, Member for Northern Victoria Region in the Legislative Council.

Accordingly, I enclose the relevant Message to you as Speaker of the Legislative Assembly.

I have written to the President of the Legislative Council in like terms and have also advised the Premier of this correspondence.

Yours sincerely

Linda Dessau AM
Governor of Victoria.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Infant Viability Bill 2015 — Requesting that the Legislative Assembly supports the Infant Viability Bill 2015 introduced in the Legislative Council, bearing 5842 and 2793 signatures (*Mr McGuire and Mr Hodgett respectively*)

Armstrong and Murray Streets Intersection, Colac — Requesting that the Legislative Assembly calls on the Government to install traffic lights at the intersection of Armstrong and Murray Streets in Colac, bearing 2658 signatures (*Mr Riordan*)

Christmas Carol Ban in Government Schools — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 12 signatures (*Ms Staley*)

Police Presence in Creswick — Requesting that the Legislative Assembly calls on the Government to return permanently stationed police officers in Creswick, bearing 250 signatures (*Ms Staley*).

Petitions ordered to be tabled.

- 4 **PETITION — ARMSTRONG AND MURRAY STREETS INTERSECTION, COLAC** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.
- 5 **PETITION — CHRISTMAS CAROL BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 6 **PETITION — POLICE PRESENCE IN CRESWICK** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 7 **PETITION — INFANT VIABILITY BILL 2015** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.

- 8 **DOCUMENTS**

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE — Ms Edwards, Chair, presented the Final Report from the Family and Community Development Committee on the Inquiry into Abuse in Disability Services, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Technical and Further Education Institutes: 2015 Audit Snapshot — Ordered to be published

Universities: 2015 Audit Snapshot — Ordered to be published

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Lower Reserve

Ombudsman — Investigation into public transport fare evasion enforcement — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 44, 46.

9 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow each member to speak on the motion in relation to the 2016–17 budget papers for a maximum of 15 minutes (*Ms Allan*) — put and agreed to.

10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 7 June 2016 (*Ms Allan*) — put and agreed to.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **LIVESTOCK DISEASE CONTROL AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

13 **WITNESS PROTECTION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

16 **WITNESS PROTECTION AMENDMENT BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Richardson, Northcote*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

17 **STATE TAXATION AND OTHER ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 24 May 2016 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **APPROPRIATION (2016–2017) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **APPROPRIATION (PARLIAMENT 2016–2017) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **LIVESTOCK DISEASE CONTROL AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **WITNESS PROTECTION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.26 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 78, 79 and 80

No 78 — Tuesday 7 June 2016

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

4 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — The Deputy Speaker announced that the Speaker had received the resignation of Dr Carling-Jenkins, MLC from the Public Accounts and Estimates Committee, effective from Monday 6 June 2016.

5 **MELBOURNE COLLEGE OF DIVINITY AMENDMENT BILL 2016** — Mr Merlino obtained leave to bring in a Bill *'for an Act to amend the Melbourne College of Divinity Act 1910 to provide for the title, operation and status of the University of Divinity and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **CRIMES AMENDMENT (SEXUAL OFFENCES) BILL 2016** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the Crimes Act 1958 in relation to sexual offences and certain other offences, to amend the Summary Offences Act 1966 in relation to sexual exposure and indecent, offensive and insulting behaviour, to amend the Jury Directions Act 2015 in relation to directions on consent, and reasonable belief in consent, in sexual offence cases, to make minor amendments to certain Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time on Thursday 9 June 2016.

7 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the Legal Professional Uniform Law Application Act 2014 and the Legal Profession Uniform Law and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **POWERS OF ATTORNEY AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the Powers of Attorney Act 2014 and the Privacy and Data Protection Act 2014 and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

9 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (PUBLIC SAFETY) BILL 2016** — Ms Allan obtained leave to bring in a Bill *'for an Act to repeal section 159 of the Transport (Compliance and Miscellaneous) Act 1983 and for other purposes'*; and the Bill was read a first time and, under SO 61(2), ordered to be read a second time immediately.

10 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (PUBLIC SAFETY) BILL 2016** — Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Motion made and question — That the debate be adjourned until later this day (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 11 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Sandringham Hospital 24 Hour Emergency Department — Requesting that the Legislative Assembly calls on the Government to maintain the 24 hour emergency department services at the Sandringham Hospital, bearing 34 signatures (*Ms Asher*)

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government to not give control of the Country Fire Authority to the United Firefighters Union, bearing 522 and 496 signatures (*Ms McLeish and Mr Bull, Gippsland East respectively*)

Craigieburn Road West and Dorchester Street intersection, Craigieburn — Requesting that the Legislative Assembly calls on the Government to fund works to improve the Craigieburn Road West and Dorchester Street intersection, Craigieburn, bearing 515 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 12 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 13 **PETITION — SANDRINGHAM HOSPITAL 24 HOUR EMERGENCY DEPARTMENT** — Motion made and question — That the petition presented by the Member for Brighton be taken into consideration tomorrow (*Ms Asher*) — put and agreed to.
- 14 **PETITION — CRAIGIEBURN ROAD WEST AND DORCHESTER STREET INTERSECTION, CRAIGIEBURN** — Motion made and question — That the petition presented by the Member for Yuroke be taken into consideration tomorrow (*Ms Spence*) — put and agreed to.

15 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 8 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Crown Land Legislation Amendment Bill 2016
 National Parks and Victorian Environmental Assessment Council Acts Amendment Bill 2016
 Owners Corporations Amendment (Short-stay Accommodation) Bill 2016
 Primary Industries Legislation Amendment Bill 2016
 Rural Assistance Schemes Bill 2016
 Tobacco Amendment Bill 2016
 Victorian Funds Management Corporation Amendment Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crimes Act 1958 — Instruments of Authorisation under s 464Z (two documents)

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Footscray Park

Sandringham Beach Park

Order under s 17D granting a lease over Footscray Park

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C197

Bass Coast — C82

Boroondara — C255

Campaspe — C106

Cardinia — GC37

Casey — C218, GC37

Glen Eira — GC37

Greater Dandenong — GC37

Kingston — GC37

Mansfield — C31, C33

Melbourne — C287, C292, GC37

Mildura — C79

Monash — GC37

Mornington Peninsula — C225

Port Phillip — C107

Southern Grampians — C33

Stonnington — GC37

Yarra — GC37

Statutory Rules under the following Acts:

Building Act 1993 — SR 49

Essential Services Commission Act 2001 — SR 48

Road Safety Act 1986 — SR 50

Sex Work Act 1994 — SR 47
Supreme Court Act 1986 — SRs 51, 52

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 40, 47, 48, 49, 50, 51, 52.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Consumer Acts and Other Acts Amendment Act 2016 — Whole Act (except ss 23, 24, 30(1) and 31) — 1 June 2016 (*Gazette S162, 24 May 2016*).

- 16 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Confiscation and Other Matters Amendment Bill 2016
 Land (Revocation of Reservations — Metropolitan Land) Bill 2016.

- 17 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 31 May 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Confiscation and Other Matters Amendment Bill 2016
 Crimes Legislation Amendment Bill 2016
 Fines Reform and Infringements Acts Amendment Bill 2016
 Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015
 Land (Revocation of Reservations — Metropolitan Land) Bill 2016
 Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Bill 2016.

- 18 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Crown Land Legislation Amendment Bill 2016
 National Parks and Victorian Environmental Assessment Council Acts Amendment Bill 2016
 Rural Assistance Schemes Bill 2016
 Tobacco Amendment Bill 2016.

- 19 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 9 June 2016:

Justice Legislation (Evidence and Other Acts) Amendment Bill 2016
 Road Management Amendment (Bus Stop Delivery Powers) Bill 2016
 Rural Assistance Schemes Bill 2016

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

20 **STATEMENTS BY MEMBERS** — Statements by members were made.

21 **BUDGET PAPERS** — Motion made and question proposed — That this House takes note of the 2016–17 budget papers (*Mr Foley*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

22 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (PUBLIC SAFETY) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

23 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2016–17 budget papers; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 79 — Wednesday 8 June 2016

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Bayswater Level Crossing Removal Project — Requesting that the Legislative Assembly calls on the Government to keep the existing three lane carriageway on Mountain Highway, bearing 116 signatures (*Ms Victoria*)

Gippsland Carers Association — Requesting that the Legislative Assembly calls on the Government to adopt the Liberal-Nationals Coalition's pre-election financial pledge of \$120,000 to support the Gippsland Carers Association, bearing 422 signatures (*Mr Northe*).

Petitions ordered to be tabled.

- 3 **PETITION — BAYSWATER LEVEL CROSSING REMOVAL PROJECT** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.
- 4 **PETITION — GIPPSLAND CARERS ASSOCIATION** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 5 **DOCUMENTS**

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE — Mr Nardella presented a report from the Economic, Education, Jobs and Skills Committee on the Inquiry into portability of long service leave entitlements, together with appendices, an extract from the proceedings, minority report and transcripts of evidence.

Question proposed — That the report, appendices, extract from the proceedings, minority report and transcripts of evidence be tabled — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the report, appendices, extract from the proceedings and minority report be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Annual Plan 2016–17

Follow Up of Asset Confiscation Scheme — Ordered to be published

Follow Up of Recreational Maritime Safety — Ordered to be published

Follow Up of Residential Care Services for Children — Ordered to be published

Managing and Reporting on the Performance and Cost of Capital Projects (*in lieu of report previously tabled on Wednesday 4 May 2016*) — Ordered to be published

Planning and Environment Act 1987 — Notice of approval of an amendment to the Yarra Planning Scheme — C215

Statutory Rules under the following Acts:

Australian Consumer Law and Fair Trading Act 2012 — SR 54

Parliamentary Salaries and Superannuation Act 1968 — SR 55

Plant Biosecurity Act 2010 — SR 53

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 53, 55.

6 **STATEMENTS BY MEMBERS** — Statements by members were made.

7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into Portability of long service leave entitlements

Family and Community Development Committee's Report on the Inquiry into Abuse in Disability Services.

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements continued on Committee Reports.

11 **MELBOURNE COLLEGE OF DIVINITY AMENDMENT BILL 2016** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 June 2016.

12 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 June 2016.

13 **POWERS OF ATTORNEY AMENDMENT BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 June 2016.

- 14 **ROAD MANAGEMENT AMENDMENT (BUS STOP DELIVERY POWERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FEDERAL GOVERNMENT** — The House was informed that Mr Pallas had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House:

- (1) Notes the failures of the Abbott/Turnbull governments over the past three years by ignoring the needs of Victorians including by:
 - (a) cutting billions of dollars from education and breaking their election promise to match Labor's funding commitments dollar for dollar;
 - (b) cutting billions of dollars in health funding, hurting patients across metropolitan and regional Victoria;
 - (c) cutting \$1 million annually in funds to the most vulnerable people in the community by slashing the funding agreement in the National Partnership Agreement on Homelessness;
 - (d) short-changing all Victorians with just 9.7 per cent of all Commonwealth infrastructure funding flowing to Victoria, compared to 31 per cent for New South Wales and 28 per cent for Queensland; and
- (2) Notes the threats to Victoria of a re-elected Liberal/Nationals government on 2 July 2016.'

Mr Pallas addressed the House — Discussion followed.

- 16 **ROAD MANAGEMENT AMENDMENT (BUS STOP DELIVERY POWERS) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **ROAD MANAGEMENT AMENDMENT (BUS STOP DELIVERY POWERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **JUSTICE LEGISLATION (EVIDENCE AND OTHER ACTS) AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.26 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 80 — Thursday 9 June 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Sky Rail along the Frankston Railway Line — Requesting that the Legislative Assembly calls on the Government to abandon any plans for an elevated sky rail along any part of the Frankston railway line, bearing 200 signatures (*Mr Guy*)

Sky Rail and Community Consultation on the Frankston Railway Line — Requesting that the Legislative Assembly calls on the Government to abandon plans for an elevated sky rail along the Frankston railway line, and consult with the local community where below-ground rail crossings are not possible, bearing 296 signatures (*Mr Guy*)

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government to not give control of the Country Fire Authority to the United Firefighters Union, bearing 93 and 231 signatures (*Ms Kealy and Mr Crisp respectively*).

Petitions ordered to be tabled.

- 3 **PETITION — SKY RAIL ALONG THE FRANKSTON RAILWAY LINE** — Motion made and question — That the petition presented by the Member for Bulleen be taken into consideration tomorrow (*Mr Guy*) — put and agreed to.

- 4 **PETITION — SKY RAIL AND COMMUNITY CONSULTATION ON THE FRANKSTON RAILWAY LINE** — Motion made and question — That the petition presented by the Member for Bulleen be taken into consideration tomorrow (*Mr Guy*) — put and agreed to.

- 5 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Mildura be taken into consideration tomorrow (*Mr Crisp*) — put and agreed to.

- 6 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

7 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the Recommendation on the Appointment of a Person to Conduct the Financial Audit of the Victorian Auditor-General's Office, together with appendices.

Ordered to be tabled and published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the Recommendation on the Appointment of a Person to Conduct the Performance Audit of the Auditor-General and the Victorian Auditor-General's Office.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Ombudsman — A report on misuse of council resources — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 54.

8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 21 June 2016 (*Ms Allan*) — put and agreed to.

9 **STATEMENTS BY MEMBERS** — Statements by members were made.

10 **CRIMES AMENDMENT (SEXUAL OFFENCES) BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Under sessional orders, the second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 23 June 2016.

11 **JUSTICE LEGISLATION (EVIDENCE AND OTHER ACTS) AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Richardson, Northcote*) — put, after debate, and agreed to.

Motion made and question — That the debate be adjourned until later this day (*Ms Allan*) — and, after debate —

Amendment proposed — That all the words after 'until' be omitted with the view of inserting in their place the words 'General Business, Notice of Motion 20 regarding the CFA has been debated' (*Mr Clark*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

14 **JUSTICE LEGISLATION (EVIDENCE AND OTHER ACTS) AMENDMENT BILL 2016** — Debate continued on question — That the debate be adjourned until later this day — *and on the amendment* — That all the words after 'until' be omitted with the view of inserting in their place the words 'General Business, Notice of Motion 20 regarding the CFA has been debated'.
Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

15 **RURAL ASSISTANCE SCHEMES BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr McGuire*) — put, after debate, and agreed to.

Ordered — That the debate be adjourned until later this day.

16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transport (Compliance and Miscellaneous) Amendment (Public Safety) Bill 2016 without amendment.

17 **RURAL ASSISTANCE SCHEMES BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 June 2016 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

18 **ROAD MANAGEMENT AMENDMENT (BUS STOP DELIVERY POWERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

19 **JUSTICE LEGISLATION (EVIDENCE AND OTHER ACTS) AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.24 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 81, 82 and 83

No 81 — Tuesday 21 June 2016

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

4 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government to not give control of the Country Fire Authority to the United Firefighters Union, bearing 130 signatures (*Ms McLeish*)

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 34 signatures (*Ms McLeish*)

Decommissioned Victoria University Site, Sunbury — Requesting that the Legislative Assembly facilitates the reacquisition of the decommissioned Victoria University Site in Sunbury, bearing 1203 signatures (*Mr Bull, Sunbury*).

Petitions ordered to be tabled.

5 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

6 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

7 **DOCUMENTS**

HAZELWOOD MINE FIRE INQUIRY: VICTORIAN GOVERNMENT IMPLEMENTATION PLAN — Tabled by leave (*Ms Hennessy*).

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2015, Regulations and Legislative Instruments, together with appendices tabled by leave (*Ms Blandthorn*).

Ordered to be published.

STANDING ORDERS COMMITTEE — Mr Nardella presented the Final Report from the Standing Orders Committee on the inquiry into sitting hours and operation of the House, together with an appendix, extract from the proceedings and minority report.

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 9 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Sexual Offences) Bill 2016
 Legal Profession Uniform Law Application Amendment Bill 2016
 Melbourne College of Divinity Amendment Bill 2016
 Powers of Attorney Amendment Bill 2016
 Ridesharing Bill 2016
 Tobacco Amendment Bill 2016
 Transport (Compliance and Miscellaneous) Amendment (Public Safety) Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C39, C52
 Glenelg — C76 Part 2, C88
 Greater Geelong — C334
 Greater Shepparton — C191
 Latrobe — C89
 Macedon Ranges — C107
 Moonee Valley — C166
 Port Phillip — C119
 South Gippsland — C97
 Wellington — C95

Statutory Rule under the *Infringements Act 2006* — SR 56

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 56.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Access to Medicinal Cannabis Act 2016 — Part 1, Part 3, ss 100, 123, 126, 129 to 131, 133 and 135 — 8 June 2016 (*Gazette S177, 7 June 2016*)
Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Act 2016 — ss 94(1) (other than paragraph (a)) and (2), ss 95 to 98, 103 to 122, 131 to 153, 155 to 157 and Divisions 3 to 7 of Part 8 — 7 June 2016; remaining provisions of Division 2 of Part 8 — 1 July 2016 (*Gazette S177, 7 June 2016*)
Relationships Amendment Act 2016 — Whole Act (except s 6) — 1 July 2016 (*Gazette S177, 7 June 2016*).

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Witness Protection Amendment Bill 2016 without amendment.

9 **MESSAGE FROM THE ADMINISTRATOR, AS THE GOVERNOR'S DEPUTY — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 15 June 2016, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Transport (Compliance and Miscellaneous) Amendment (Public Safety) Bill 2016
Witness Protection Amendment Bill 2016.

10 **FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE** — The Deputy Speaker announced that the Speaker had received the resignation of Ms Sheed from the Family and Community Development Committee, effective from Thursday 16 June 2016.

11 **PERFORMANCE AUDIT OF THE AUDITOR-GENERAL AND THE VICTORIAN AUDITOR-GENERAL'S OFFICE** — Motion made, by leave, and question — That:

(1) Under s 19 of the *Audit Act 1994*, Ms Elma von Wielligh-Louw, Partner, Deloitte Touche Tomatsu, be appointed to conduct the performance audit of the Auditor-General and the Victorian Auditor-General's Office for the period July 2013 to June 2016:

(a) in accordance with the terms, conditions and specifications as set out in the Request for Tender issued on 18 December 2015;

(b) at a fixed fee of \$288,000 excluding GST.

(2) A message be sent to the Legislative Council requesting their agreement —

(*Ms Allan*) — put and agreed to.

12 **FINANCIAL AUDIT OF THE VICTORIAN AUDITOR-GENERAL'S OFFICE** — Motion made, by leave, and question — That:

(1) Under s 17 of the *Audit Act 1994*, Mr Geoff Parker be appointed for a period of three years:

(a) to conduct the financial audit of the Victorian Auditor-General's Office for the financial years ending 30 June 2016, 30 June 2017 and 30 June 2018;

(b) in accordance with the terms and conditions and remuneration of a person appointed by the Parliament of Victoria under s 17 of the *Audit Act 1994*, and the terms of reference as specified in Appendix One of the Public Accounts and Estimates Committee's Report on the Recommendation on the Appointment of a Person to Conduct the Financial Audit of the Victorian Auditor-General's Office (Parliamentary Paper No 175, Session 2014–16); and

(c) at the following maximum fixed fee levels of remuneration:

(i) \$33,000 plus GST for audit services for the year ended 30 June 2016;

(ii) \$33,000 plus GST for audit services for the year ended 30 June 2017; and

(iii) \$33,000 plus GST for audit services for the year ended 30 June 2018.

(2) A message be sent to the Legislative Council requesting their agreement —

(*Ms Allan*) — put and agreed to.

13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 23 June 2016:

Crimes Amendment (Sexual Offences) Bill 2016

Land (Revocation of Reservations — Regional Victoria Land) Bill 2016

National Parks and Victorian Environmental Assessment Council Acts Amendment Bill 2016
 Primary Industries Legislation Amendment Bill 2016
 Tobacco Amendment Bill 2016
 Victorian Funds Management Corporation Amendment Bill 2016

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Tilley; Ms Victoria; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

14 **STATEMENTS BY MEMBERS** — Statements by members were made.

15 **VICTORIAN FUNDS MANAGEMENT CORPORATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **TOBACCO AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Assembly's resolution appointing Ms Elma von Wielligh-Louw, Partner, Deloitte Touche Tomatsu, to conduct the performance audit of the Auditor-General and the Victorian Auditor-General's Office.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Assembly's resolution appointing Mr Geoff Parker to conduct the financial audit of the Victorian Auditor-General's Office.

- 19 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 82 — Wednesday 22 June 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **FREEDOM OF INFORMATION AMENDMENT (OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER) BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Freedom of Information Act 1982 to establish the Office of the Victorian Information Commissioner, to amend the Privacy and Data Protection Act 2014 to confer functions on the Information Commissioner, and to make related and consequential amendments to other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Pedestrian Crossing on Williamsons Road, Templestowe — Requesting that the Legislative Assembly calls on the Government to install a pedestrian crossing on Williamsons Road, near the intersection of Serpells Road in Templestowe, bearing 149 signatures (*Mr Guy*)

Fellmongers, St Albans, Boundary and Townsend Roads, East Geelong — Requesting that the Legislative Assembly looks at the safety and traffic management issues around the Fellmongers, St Albans, Boundary and Townsend Roads roundabout in East Geelong, bearing 736 signatures (*Ms Couzens*)

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government to not give control of the Country Fire Authority to the United Firefighters Union, bearing 212 signatures (*Mr Northe*)

Gippsland Carers Association — Requesting that the Legislative Assembly calls on the Government to adopt the Liberal-Nationals Coalition's pre-election financial pledge of \$120,000 to support the Gippsland Carers Association, bearing 8 signatures (*Mr Northe*)

Bus Route 788 — Requesting that the Legislative Assembly increases the frequency of the 788 bus service, connects the route with Frankston Hospital and Monash University, Frankston and publishes the Mornington Peninsula Bus Network Review, bearing 250 signatures (*Mr Dixon*)

Police Presence in Creswick — Requesting that the Legislative Assembly calls on the Government to return permanently stationed police officers in Creswick, bearing 78 signatures (*Ms Staley*)

Mentone Activity Centre — Requesting that the Legislative Assembly calls on the Government to reverse its decision to apply discretionary height limits and re-instate mandatory height limits for the Mentone Shopping Centre, bearing 545 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

4 **PETITION — MENTONE ACTIVITY CENTRE** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

5 **PETITION — BUS ROUTE 788** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

6 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

7 **PETITION — GIPPSLAND CARERS ASSOCIATION** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

8 **PETITION — POLICE PRESENCE IN CRESWICK** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

9 **PETITION — DECOMMISSIONED VICTORIA UNIVERSITY SITE, SUNBURY** — Motion made and question — That the petition presented by the Member for Sunbury on Tuesday 21 June 2016 be taken into consideration tomorrow (*Mr Bull, Sunbury*) — put and agreed to.

10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Gene Technology Regulator, Office of — Reports and quarterly reports 2000–01 to 2014–15 (69 documents)

Ombudsman — Investigation into Casey City Council's Special Charge Scheme for Market Lane — Ordered to be published.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the Appropriation (Parliament 2016–2017) Bill 2016 and suggesting amendments.

Ordered — That the suggested amendments be taken into consideration later this day.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the State Taxation and Other Acts Amendment Bill 2016 and suggesting amendments.

Ordered — That the suggested amendments be taken into consideration later this day.

13 **STATEMENTS BY MEMBERS** — Statements by members were made.

14 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

Law Reform, Road and Community Safety Committee's Report on the Inquiry into Fuel Drive-Offs

Electoral Matters Committee's Report on the Inquiry into the Conduct of the 2014 Victorian State Election

Family and Community Development Committee's Final Report on the Inquiry into Abuse in Disability Services.

15 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

16 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

17 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).

18 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

19 **LAND (REVOCATION OF RESERVATIONS — REGIONAL VICTORIA LAND) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

- 20 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — CFA ENTERPRISE AGREEMENT** — The House was informed that Mr Guy had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House calls on the Premier to stop showing disrespect to 60,000 CFA volunteers and risking community safety by continuing to push for an EBA that includes the following clauses:

- (1) 15.1 and 16.1 requiring that changes to structure and roles in the brigade administrative and volunteer support services must be agreed by the UFU;
- (2) 36.4 requiring that unless an incident is a level-three, multi-agency incident, paid operational staff will be unable to report to volunteer staff, regardless of the experience of volunteer staff;
- (3) 41.1 requiring the CFA to hand over full access of its email system and database to UFU, and providing the UFU will have unrestricted use of it;
- (4) 42.1 requiring that all CFA policies affecting employees can be made or varied only with UFU agreement;
- (5) 45.15 providing that firefighters cannot move between specific types of trucks during a shift unless agreed by the UFU;
- (6) 45.21.3 providing that staffing charts that specify which staff are at each station and the commencement dates for those charts can be changed only with UFU agreement or by the disputes panel;
- (7) 51.6.5a, 51.3, 147.1 and 183.3 providing that the CFA cannot employ operational staff on a part-time or casual basis unless the UFU agrees;
- (8) 62.5 that establishes a disputes panel and provides that if the chairperson of the panel vacates their position, the UFU must agree on a replacement;
- (9) 69.3 providing that only firefighters can be appointed as fitness leaders (responsible for taking fitness classes at work locations); and
- (10) Schedule 20 requiring that uniforms and workwear for all CFA operational staff must be agreed by the UFU.'

Mr Guy addressed the House — Discussion followed.

- 21 **LAND (REVOCATION OF RESERVATIONS — REGIONAL VICTORIA LAND) BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **STATE TAXATION AND OTHER ACTS AMENDMENT BILL 2016** — Order read for the consideration of the amendments suggested by the Legislative Council.

On the motion of Mr Pallas and, after debate — suggested amendments made.

Bill returned to the Legislative Council with a message informing them accordingly.

- 23 **APPROPRIATION (PARLIAMENT 2016–2017) BILL 2016** — Order read for the consideration of the amendments suggested by the Legislative Council.

Motion made and question — That this House does not make the suggested amendments (*Mr Pallas*) — put, after debate, and agreed to.

Bill returned to the Legislative Council with a message informing them accordingly.

- 24 **NATIONAL PARKS AND VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 25 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2016–17 Budget Papers; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 26 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.22 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 83 — Thursday 23 June 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **NATIONAL DOMESTIC VIOLENCE ORDER SCHEME BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to provide for a national recognition scheme for domestic violence orders, to make consequential amendments to the **Family Violence Protection Act 2008** and other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Bayswater Level Crossing Removal Project — Requesting that the Legislative Assembly calls on the Government to keep the existing three lane carriageway on Mountain Highway, bearing 183 signatures (*Ms Victoria*).

Ordered to be tabled.

- 4 **DOCUMENT**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the Inquiry into the Impact on Victorian Government Service Delivery of Changes to National Partnership Agreements, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

- 5 **PETITION — BAYSWATER LEVEL CROSSING REMOVAL PROJECT** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

- 6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Falls Creek Alpine Resort Management Board — Report year ended 31 October 2015

Members of Parliament (Register of Interests) Act 1978 — Summary of Variations notified between 10 February 2016 and 22 June 2016 — Ordered to be published

Multicultural Victoria Act 2011 — Victorian Government Report in Multicultural Affairs 2014–15

Ombudsman — Report on recommendations — Ordered to be published

Statutory Rules under the following Acts:

Public Health and Wellbeing Act 2008 — SR 58

Relationships Act 2008 — SR 57

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 57

Documents under s 16B in relation to the *Education and Training Reform Act 2006* — Ministerial Order No 900 — Victorian Institute of Teaching Registration Fees 2016–17.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Building Legislation Amendment (Consumer Protection) Act 2016 — Part 1, ss 4, 14(1), 19, 34, 35, 36, 39 and 42 and Divisions 6, 7, 8, 9 and 12 of Part 3 (except ss 46, 52, 55 and 71) and Part 4 — 4 July 2016 (*Gazette S194, 21 June 2016*)

Integrity and Accountability Legislation Amendment (A Stronger System) Act 2016 — Part 2 (except ss 3(c), 19 and 20), Part 3 (except s 51 (1)), Part 4 (except s 63(1)), Parts 5, 6 and 7 (except ss 78(1), 79, 80(1), 86, 87(1) and 89(1)), Part 8 and Part 9 — 1 July 2016; remaining provisions — 1 December 2016 (*Gazette S194, 21 June 2016*)

National Electricity (Victoria) Further Amendment Act 2016 — Whole Act — 1 July 2016 (*Gazette S194, 21 June 2016*).

- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the State Taxation and Other Acts Amendment Bill 2016 including the amendments made by the Legislative Assembly on the suggestion of the Legislative Council, without amendment.

- 8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 16 August 2016 (*Ms Allan*) — put and agreed to.

- 9 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Requesting that the Legislative Assembly grants leave to the Treasurer, the Hon Tim Pallas, MP, to appear before the Legislative Council Economy and Infrastructure Committee to give evidence and answer questions in relation to the Committee's inquiry into infrastructure projects.

Motion made and question — That the message be taken into consideration later this day (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 11 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE** — Motion made and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry be referred to the Economic, Education, Jobs and Skills Committee, for consideration and report no later than 1 July 2017, into supporting the role of communities in the Victorian energy economy and, in undertaking the inquiry, the Committee should:

- (1) Look at the potential role of co-operatives, mutuals, social enterprises and community ownership in the energy sector;
- (2) Investigate the benefits of community owned energy programs;
- (3) Investigate the best ways to encourage the uptake of community energy projects;
- (4) Investigate the ability to expand community energy projects outside of solar and wind power;
- (5) Review the best practice models of other Australian and international jurisdictions for supporting community ownership options in the energy sector;
- (6) Investigate the challenges to community energy projects in metropolitan areas;
- (7) Investigate ways to support communities to surmount challenges to community owned energy in metropolitan areas —

(*Ms Allan*) — put and agreed to.

- 12 **AMENDMENTS TO STANDING AND SESSIONAL ORDERS** — Motion made and question — That the amendments to the standing and sessional orders in Appendix 1 of the Standing Orders Committee's report on the Inquiry into sitting hours and operation of the House, June 2016 be agreed to, to come into effect on Tuesday 16 August 2016 and the Clerk be authorised to carry out any consequential renumbering required (*Ms Allan*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 9).
- 15 **AMENDMENTS TO STANDING AND SESSIONAL ORDERS** — Debate resumed on question — That the amendments to the standing and sessional orders in Appendix 1 of the Standing Orders Committee's report on the Inquiry into sitting hours and operation of the House, June 2016 be agreed to, to come into effect on Tuesday 16 August 2016 and the Clerk be authorised to carry out any consequential renumbering required — put and agreed to.
- 16 **AMENDMENT TO SESSIONAL ORDERS** — Motion made and question — That Sessional Order 7 be amended, to come into effect from the beginning of the next sitting week, as follows —

Omit the words 'of new government initiatives, projects and achievements' and insert the words 'about matters related to their portfolio' (*Ms Allan*) — and, after debate —

Motion made and question — That the question be now put (*Ms Allan*) — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — accordingly put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 17 **FREEDOM OF INFORMATION AMENDMENT (OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER) BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).
- Under sessional orders, the second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.
- Ordered — That the debate be adjourned until Thursday 7 July 2016.
- 18 **CRIMES AMENDMENT (SEXUAL OFFENCES) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 21 June 2016 had expired.*
- Question — That this Bill be now read a second time — put and agreed to.
- Question — That this Bill be now read a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 19 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 20 **LAND (REVOCAION OF RESERVATIONS — REGIONAL VICTORIA LAND) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 21 **NATIONAL PARKS AND VICTORIAN ENVIRONMENTAL ASSESSMENT COUNCIL ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 22 **VICTORIAN FUNDS MANAGEMENT CORPORATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 23 **TOBACCO AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.27 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 84, 85 and 86

No 84 — Tuesday 16 August 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **APPOINTMENT OF OFFICERS OF PARLIAMENT** — The Speaker informed the House that, under s 18 of the *Parliamentary Administration Act 2005*, the Clerk of the Legislative Assembly has appointed Mr Robert McDonald to be Assistant Clerk Committees, and Dr Vaughn Koops to be Assistant Clerk Procedure and Serjeant-at-Arms, effective 1 July 2016.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 5 **LOCAL GOVERNMENT AMENDMENT BILL 2016** — Mr Wynne obtained leave to bring in a Bill '*for an Act to repeal section 76C(1) of the Local Government Act 1989 and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **POLICE AND JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2016** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the Crown Proceedings Act 1958 and the Victoria Police Act 2013 in relation to Victoria Police, to amend the Crimes Act 1958, the Estate Agents Act 1980, the Sentencing Act 1991, the Serious Sex Offenders (Detention and Supervision) Act 2009 and the Sex Offenders Registration Act 2004 to update references to CrimTrac to the Australian Crime Commission and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **MELBOURNE AND OLYMPIC PARKS AMENDMENT BILL 2016** — Mr Eren obtained leave to bring in a Bill '*for an Act to amend the Melbourne and Olympic Parks Act 1985 to provide for the reservation of land and strata of land as national tennis centre land for the purposes of a bridge across Batman Avenue and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Country Fire Authority** — Requesting that the Legislative Assembly calls on the Government to not give control of the Country Fire Authority to the United Firefighters Union, bearing 698 and 12 signatures (*Ms McLeish and Mr Northe respectively*)
 - Kangaroo Numbers Across Country Victoria** — Requesting that the Legislative Assembly calls on the Government to control the increasing kangaroo population in order to protect motorists and ensure sustainability, bearing 327 signatures (*Ms Ryan*)
 - Gippsland Carers Association** — Requesting that the Legislative Assembly calls on the Government to adopt the Liberal-Nationals Coalition's pre-election financial pledge of \$120,000 to support the Gippsland Carers Association, bearing 4 signatures (*Mr Northe*)
 - Glenroy First Nations Community Hub** — Requesting that the Legislative Assembly supports granting six acres of land or more at 208 Hilton Street, Glenroy for the purpose of establishing a

multifunctional Community Hub owned and controlled by the First Nations, bearing 599 signatures (*Ms Blandthorn*).

Petitions ordered to be tabled.

9 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

10 **PETITION — KANGAROO NUMBERS ACROSS COUNTRY VICTORIA** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Mr Crisp*) — put and agreed to.

11 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 10 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Sexual Offences) Bill 2016
 Environment Protection Amendment (Banning Plastic Bags, Packaging and Microbeads) Bill 2016
 Equal Opportunity Amendment (Equality for Students) Bill 2016
 Freedom of Information Amendment (Office of the Victorian Information Commissioner) Bill 2016
 Melbourne College of Divinity Amendment Bill 2016
 Owners Corporations Amendment (Short-stay Accommodation) Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Orders under s 17D granting leases over North Park Reserve (two orders)

Duties Act 2000 — Report period ended 31 May 2016 of Foreign Purchaser Additional Duty Exemptions under s 3E

Environment Protection Act 1970:

Order varying the State Environment Protection Policy (Ambient Air Quality) (*Gazette G30, 28 July 2016*)

Sustainability Fund Guidelines under s 70C

Financial Management Act 1994 — Report from the Minister for Training and Skills that he had received the Report 2015 of the International Fibre Centre

Interpretation of Legislation Act 1984:

Notice under s 32(3)(a)(iii) in relation to Statutory Rule 87 (*Gazette S241, 4 August 2016*)

Notice under s 32(4)(a)(iii) in relation to Code of Practice for Onsite Wastewater Management (*Gazette G30, 28 July 2016*)

Land Tax Act 2005 — Report period ended 31 May 2016 of Land Tax Absentee Owner Surcharge Exemptions under s 3B

Melbourne City Link Act 1995:

Deed of Lease (Southern Link) — SLU Company Lease
Deed of Lease (Southern Link) — SLU Trust Concurrent Lease

Melbourne Cricket Ground Trust — Report year ended 31 March 2016

Parliamentary Committees Act 2003 — Government response to the IBAC Committee's report
Strengthening Victoria's key anti-corruption agencies?

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — GC39
Banyule — C112
Bass Coast — C143
Benalla — GC39
Boroondara — C222 Part 1, C246, C247, GC43, GC47
Buloke — C30, GC39
Campaspe — C101
Cardinia — GC47, GC53
Casey — C208, GC47, GC53
Colac Otway — C78
Darebin — GC43
Gannawarra — GC39
Glen Eira — C121
Glenelg — GC39
Golden Plains — C72
Greater Bendigo — C213, C215
Greater Dandenong — C177, C190, GC47
Greater Geelong — C317, C329
Hepburn — GC39
Hindmarsh — GC39
Hobsons Bay — C110
Horsham — C78, GC39
Hume — GC53
Knox — C146, C148
Latrobe — C99
Loddon — GC39
Maribyrnong — C137, GC53
Melbourne — C207, C257, C289, C291, C293
Melton — C175
Mildura — GC39
Monash — GC47
Moonee Valley — C151
Moorabool — C51, C70
Moreland — C134
Mornington Peninsula — C192, GC53
Mount Alexander — C76
Moyne — C62
Murrindindi — C55, GC39
Nillumbik — C106
Northern Grampians — GC39
Port Phillip — C103
Queenscliffe — GC39
Southern Grampians — GC39

South Gippsland — C65
 Stonnington — C183 Part 2, C212, C217, C219, C230, C232, C239, GC47
 Strathbogie — C74, GC39
 Swan Hill — C67
 Towong — C34, GC39, GC53
 Victoria Planning Provisions — VC130
 Wangaratta — C59, C70
 West Wimmera — C34, GC39
 Whitehorse — C157 Part 1, C177, C187, C211
 Yarra — C211, GC43
 Yarra Ranges — GC39
 Yarriambiack — GC39

Public Interest Monitor — Report 2015–16

Racing Act 1958 — Notification of modification to the Constitution of Racing Victoria Ltd under s 3B

Statutory Rules under the following Acts:

Aboriginal Heritage Act 2006 — SR 94
Administration and Probate Act 1958 — SR 83
Adoption Act 1984 — SR 85
Births, Deaths and Marriages Registration Act 1996 — SR 59
Building Act 1993 — SR 63
Children, Youth and Families Act 2005 — SR 72
City of Melbourne Act 2001 — SRs 91, 97
Conveyancers Act 2006 — SR 87
Corrections Act 1986 — SR 79
Court Security Act 1980 — SR 74
Crimes (Assumed Identities) Act 2004 — SR 60
Dangerous Goods Act 1985 — SR 90
Estate Agents Act 1980 — SR 86
Fisheries Act 1995 — SRs 71, 95
Guardianship and Administration Act 1986 — SR 76
Independent Broad-based Anti-corruption Commission Act 2011 — SR 70
Liquor Control Reform Act 1998 — SR 77
Local Government Act 1989 — SRs 91, 97
Magistrates' Court Act 1989 — SRs 73, 82
Private Security Act 2004 — SR 64
Residential Tenancies Act 1997 — SR 96
Retirement Villages Act 1986 — SR 78
Road Safety Act 1986 — SRs 92, 93
Serious Sex Offenders (Detention and Supervision) Act 2009 — SR 84
Subordinate Legislation Act 1994 — SRs 66, 88, 89
Surveillance Devices Act 1999 — SR 61
Terrorism (Community Protection) Act 2003 — SR 65
Tobacco Act 1987 — SR 62
Transport (Compliance and Miscellaneous) Act 1983 — SRs 67, 68, 69
Victorian Civil and Administrative Tribunal Act 1998 — SRs 75, 80, 81

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 95, 96

Documents under s 16B in relation to:

Cemeteries and Crematoria Act 2003 — Fees and Charges Guidelines for Class A Cemetery Trust Fee Setting

Corporations (Commonwealth Powers) Act 2001 — Proclamation of extension of Victoria's corporations law references

Environment Protection Act 1970 — Variation to the Code of Practice for Onsite Wastewater Management

Road Safety Act 1986 — Order declaring certain motor vehicles not to be motor vehicles — Electric Personal Transporters Trial

Transport (Compliance and Miscellaneous) Act 1983 — Specifications for Wheelchair Accessible Taxi-Cabs

Workplace Injury Rehabilitation and Compensation Act 2013 — Ministerial Direction — Return to Work Direction — Issue Resolution Process

Guidelines under s 26

Surveyor-General — Report 2015–16 on the administration of the *Survey Co-ordination Act 1958*

Wrongs Act 1958 — Notice under s 28LXA.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Consumer Acts and Other Acts Amendment Act 2016 — Sections 30(1) and 31 — 1 July 2016 (*Gazette S204, 28 June 2016*)

Crown Land Legislation Amendment (Canadian Regional Park and Other Matters) Act 2016 — Whole Act (except Part 3) — 5 August 2016 (*Gazette S239, 2 August 2016*)

Emergency Management (Control of Response Activities and Other Matters) Act 2015 — Sections 6, 10, 11 and 15 — 1 August 2016 (*Gazette S233, 26 July 2016*)

Justice Legislation Further Amendment Act 2016 — Remaining provisions — 1 July 2016 (*Gazette S204, 28 June 2016*).

- 12 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Appropriation (2016–2017) Bill 2016

Appropriation (Parliament 2016–2017) Bill 2016

House Contracts Guarantee Repeal Bill 2016

Justice Legislation (Evidence and Other Acts) Amendment Bill 2016

Rural Assistance Schemes Bill 2016

Treasury and Finance Legislation Amendment Bill 2016.

- 13 **APPROPRIATION (2016–2017) BILL 2016 — APPROPRIATION (PARLIAMENT 2016–2017) BILL 2016** — The Acting Speaker announced that the Speaker had, on 28 June 2016, presented to the Governor, the Appropriation (2016–2017) Bill 2016 and the Appropriation (Parliament 2016–2017) Bill 2016 to which the Governor gave the royal assent.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 28 June 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

House Contracts Guarantee Repeal Bill 2016

Justice Legislation (Evidence and Other Acts) Amendment Bill 2016

Rural Assistance Schemes Bill 2016

State Taxation and Other Acts Amendment Bill 2016

Treasury and Finance Legislation Amendment Bill 2016.

- 15 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Freedom of Information Amendment (Office of the Victorian Information Commissioner) Bill 2016.
- 16 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended on Thursday 18 August 2016 to allow the sitting to start at 2.00 pm and the order of business to be:

Question time (2.00 pm)
 Formal business
 Statements by members
 Government business
 Adjournment debate (5.00 pm)

(*Ms Allan*) — put, after debate, and agreed to.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 18 August 2016:

Crown Land Legislation Amendment Bill 2016
 Legal Profession Uniform Law Application Amendment Bill 2016
 Local Government Amendment Bill 2016
 Melbourne College of Divinity Amendment Bill 2016
 Owners Corporations Amendment (Short-stay Accommodation) Bill 2016
 Powers of Attorney Amendment Bill 2016

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Ms Richardson (*Northcote*); Ms Sandell; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **NATIONAL DOMESTIC VIOLENCE ORDER SCHEME BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 30 August 2016.

- 20 **CROWN LAND LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **MELBOURNE COLLEGE OF DIVINITY AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

The Acting Speaker announced that the Speaker had ruled the Bill to be a private bill.

Motion made and question — That this Bill be treated as a public bill and that fees be dispensed with (*Mr Foley*) — put and agreed to.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **OWNERS CORPORATIONS AMENDMENT (SHORT-STAY ACCOMMODATION) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until community consultation and further research and investigation have been conducted into all the issues presented by the short-stay accommodation industry operating in Victoria' (*Ms Sandell*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 85 — Wednesday 17 August 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Additional Public Holidays — Requesting that the Legislative Assembly calls on the Government to reconsider its decision to introduce two additional public holidays, bearing 261 signatures (*Ms Victoria*)

Bayswater Level Crossing Removal Project — Requesting that the Legislative Assembly calls on the Government to keep the existing three lane carriageway on Mountain Highway, bearing 221 signatures (*Ms Victoria*)

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government to not give control of the Country Fire Authority to the United Firefighters Union, bearing 472, 3187, 298 and 2998 signatures (*Mr O'Brien (Gippsland South), Ms Kealy, Mr Dixon and Ms Staley respectively*)

Christmas Carol Ban in Government Schools — Requesting that the Legislative Assembly ensures the Government reverses the ban on singing traditional Christmas carols in Victorian government schools, bearing 10 signatures (*Mr O'Brien, Gippsland South*)

Transport Link for the Gippsland Region — Requesting that the Legislative Assembly directs the Government to adopt the Liberal-Nationals Coalition's plan to invest in major rail infrastructure projects and service improvements to deliver a better public transport link for the Gippsland region, bearing 40 signatures (*Mr O'Brien, Gippsland South*)

Echuca to Bendigo Train Line — Requesting that the Legislative Assembly ensures the Government upgrades the Echuca to Bendigo train line from class four to class two in order to increase the line speed, bearing 468 signatures (*Mr Walsh*)

Bus Route 788 — Requesting that the Legislative Assembly increases the frequency of the 788 bus service, connects the route with Frankston Hospital and Monash University, Frankston and publishes the Mornington Peninsula Bus Network Review, bearing 960 signatures (*Mr Dixon*)

Sandringham Hospital 24 Hour Emergency Department — Requesting that the Legislative Assembly calls on the Government to maintain the 24 hour emergency department services at the Sandringham Hospital, bearing 6 signatures (*Mr Thompson, Sandringham*)

Skyrail at Cheltenham Station — Requesting that the Legislative Assembly calls on the Government to seek a method for separating road and rail at Cheltenham Station that does not involve the construction of a Skyrail, bearing 192 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

- 3 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 4 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 5 **PETITION — BUS ROUTE 788** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — ECHUCA TO BENDIGO TRAIN LINE** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 7 **PETITION — SANDRINGHAM HOSPITAL 24 HOUR EMERGENCY DEPARTMENT** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

- 8 **PETITION — SKYRAIL AT CHELTENHAM STATION** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 9 **PETITION — ADDITIONAL PUBLIC HOLIDAYS** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.
- 10 **PETITION — BAYSWATER LEVEL CROSSING REMOVAL PROJECT** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.
- 11 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 12 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 13 **PETITION — CHRISTMAS CAROL BAN IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 14 **PETITION — TRANSPORT LINK FOR THE GIPPSLAND REGION** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.
- 15 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General — Enhancing Food and Fibre Productivity — Ordered to be published
- Statutory Rules under the *Road Safety Act 1986* — SRs 98, 99
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rules 98, 99.
- 16 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:
- Gene Technology Amendment Bill 2015
National Parks and Victorian Environmental Assessment Council Acts Amendment Bill 2016.
- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Education and Training Reform Amendment (Miscellaneous) Bill 2016 with an amendment.
- Ordered — That the amendment be taken into consideration later this day.
- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Electoral Matters Committee's Report on the Inquiry into the Conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville.

- 20 **LOCAL GOVERNMENT AMENDMENT BILL 2016** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered, after debate — That the debate be adjourned until tomorrow.

- 21 **POLICE AND JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2016** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 31 August 2016.

- 22 **MELBOURNE AND OLYMPIC PARKS AMENDMENT BILL 2016** — *Mr Eren tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Eren*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 31 August 2016.

- 23 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 24 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 25 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 26 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 27 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 28 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 29 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Legislative Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Damian Drum and that the time and place of such a meeting be the Legislative Assembly Chamber on Wednesday 17 August 2016 at 6.45 pm or, at the latest, on Thursday 18 August 2016 at 4.45 pm.

Motion made and question — That the message be taken into consideration immediately (*Mr Noonan*) — put agreed to.

Motion made and question — That this House disagrees with the proposal of the Legislative Council to hold a joint sitting on Wednesday 17 August 2016 at 6.45 pm or, at the latest, on Thursday 18 August 2016 at 4.45 pm (*Mr Noonan*) — and after debate —

Question — That the question be now put (*Ms Thomas*) — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — accordingly put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 30 **CORRECTIONS AMENDMENT (NO BODY, NO PAROLE) BILL 2016** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Corrections Act 1986** in relation to the granting of parole to prisoners serving a prison sentence for an offence of murder or conspiracy to commit murder who fail to assist authorities to locate the remains of victims and for other purposes*'.

Motion made and question — That this Bill be now read a first time (*Mr Clark*) — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 31 **EDUCATION AND TRAINING REFORM AMENDMENT (MISCELLANEOUS) BILL 2016** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 32 **POWERS OF ATTORNEY AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 33 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.28 pm.

No 86 — Thursday 18 August 2016

1 The House met in accordance with the terms of the resolution of Tuesday 16 August 2016 — The Speaker took the Chair and read the Prayer.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Births, Deaths and Marriages Registration Act 1996** to provide for a person to alter the record of a person's sex in the person's birth registration and to further provide for the issue of a document acknowledging a person's name and sex, to make consequential amendments to the **Children, Youth and Families Act 2005**, the **Corrections Act 1986**, the **Serious Sex Offenders (Detention and Supervision) Act 2009** and the **Sex Offenders Registration Act 2004** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **ESTATE AGENTS AMENDMENT (UNDERQUOTING) BILL 2016** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the **Estate Agents Act 1980** to introduce measures to address underquoting in the sale of residential property and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Acland Village Tram Upgrade — Requesting that the Legislative Assembly calls on the Government to stop or defer the Acland Village tram upgrade until consultation and planning with the community is completed, bearing 4213 signatures (*Mr Burgess*)

Western Distributor Project Reference Design — Requesting that the Legislative Assembly — (a) ensures Option 2, as proposed by Transurban, is included in the Western Distributor Project Reference Design as an alternative option which is to be subject to the Environmental Effects Statement process; and (b) ensures consultation is used to inform the project design and that project requirements as outlined by various groups are not ignored, bearing 877 signatures (*Mr Noonan*).

Petitions ordered to be tabled.

7 **PETITION — ACLAND VILLAGE TRAM UPGRADE** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

8 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the Appointment of an Auditor-General of Victoria.

Ordered to be tabled and published.

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

County Court of Victoria — Report 2014–15

Ordered to be tabled.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following documents in accordance with an Act of Parliament:

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 97

Documents under s 16B in relation to the *Summary Offences Act 1966* — Notice of Declared Area.

- 9 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 30 August 2016 (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 10 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 11 **LOCAL GOVERNMENT AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 16 August 2016 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **OWNERS CORPORATIONS AMENDMENT (SHORT-STAY ACCOMMODATION) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until community consultation and further research and investigation have been conducted into all the issues presented by the short-stay accommodation industry operating in Victoria'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 76

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Mr Hodgett; Mr Howard; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkeny; Ms Knight; Mr Lim; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Pesutto; Ms Richardson (*Northcote*); Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **POWERS OF ATTORNEY AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **CROWN LAND LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **MELBOURNE COLLEGE OF DIVINITY AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **LEGAL PROFESSION UNIFORM LAW APPLICATION AMENDMENT BILL 2016** — The Speaker announced that he had received a report from the Clerk that he has made the following correction in the Bill:

In the long title, he has deleted 'Professional' and inserted 'Profession'.

Business having been interrupted at 5.09 pm under sessional orders.

- 18 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.31 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 87, 88 and 89

No 87 — Tuesday 30 August 2016

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **CORRECTIONS LEGISLATION AMENDMENT BILL 2016** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the **Corrections Act 1986** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **EQUAL OPPORTUNITY AMENDMENT (RELIGIOUS EXCEPTIONS) BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Equal Opportunity Act 2010** to modify the religious exceptions in relation to the employment of a person by religious bodies and schools*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

6 **TRADITIONAL OWNER SETTLEMENT AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Traditional Owner Settlement Act 2010**, to amend the **Crown Land (Reserves) Act 1978**, the **Fisheries Act 1995**, the **Flora and Fauna Guarantee Act 1988**, the **Forests Act 1958**, the **Land Act 1958**, the **National Parks Act 1975**, the **Prevention of Cruelty to Animals Act 1986**, the **Water Act 1989** and the **Wildlife Act 1975** to provide for agreements about natural resources with traditional owners, to make a minor amendment to the **Aboriginal Heritage Act 2006** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **DOCUMENTS**

PARTNERSHIPS VICTORIA PROJECT SUMMARIES: PORT PHILLIP PRISON CONTRACT EXTENSION AND FULHAM CORRECTIONAL CENTRE CONTRACT EXTENSION — Reports tabled by leave (*Ms Neville*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 11 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Carjacking) Bill 2016

Equal Opportunity Amendment (Equality for Students) Bill 2016

Local Government Amendment Bill 2016

Melbourne and Olympic Parks Amendment Bill 2016

National Domestic Violence Order Scheme Bill 2016

Police and Justice Legislation Amendment (Miscellaneous) Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting leases over Johnstone Park Reserve

Interpretation of Legislation Act 1984 — Notice under s 32(4)(a)(iii) in relation to the State Environment Protection Policy (Ambient Air Quality) (*Gazette G33, 18 August 2016*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Brimbank — C177
 Casey — C226
 Greater Dandenong — C195
 Hume — C198
 Mitchell — C115
 Monash — C126
 Northern Grampians — C42
 Stonnington — C237
 Surf Coast — C103
 Wangaratta — C63
 Whitehorse — C181
 Whittlesea — C56
 Wyndham — C206
 Yarra — C216, C217, C222

Statutory Rule under the *Road Safety Act 1986* — SR 100

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 100.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Building Legislation Amendment (Consumer Protection) Act 2016 — Section 5 and the remaining provisions of Part 3 (except Division 10 and ss 24, 28, 37, 40, 41, 46, 52 and 71) — 1 September 2016 (*Gazette S261, 23 August 2016*)

Fines Reform and Infringements Acts Amendment Act 2016 — Division 1 of Part 3 — 1 September 2016 (*Gazette S261, 23 August 2016*).

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Road Management Amendment (Bus Stop Delivery Powers) Bill 2016 without amendment.
- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Primary Industries Legislation Amendment Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 23 August 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Education and Training Reform Amendment (Miscellaneous) Bill 2016
 Gene Technology Amendment Bill 2015
 National Parks and Victorian Environmental Assessment Council Acts Amendment Bill 2016
 Road Management Amendment (Bus Stop Delivery Powers) Bill 2016.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 1 September 2016:

Freedom of Information Amendment (Office of the Victorian Information Commissioner) Bill 2016
 Melbourne and Olympic Parks Amendment Bill 2016
 National Domestic Violence Order Scheme Bill 2016
 Police and Justice Legislation Amendment (Miscellaneous) Bill 2016
 Public Administration Amendment (Public Sector Communication Standards) Bill 2016

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 13 September 2016.

- 14 **ESTATE AGENTS AMENDMENT (UNDERQUOTING) BILL 2016** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 13 September 2016.

- 15 **NATIONAL DOMESTIC VIOLENCE ORDER SCHEME BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Ms Kairouz*) — and, after debate —

Question — That amendment No 1 be agreed to — put and agreed to.

Question — That amendment No 2 be agreed to — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 79

Ms Allan; Mr Andrews; Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Pesutto; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Question — That amendment Nos 3 and 4 be agreed to — put and agreed to.

Question — That amendment Nos 5 to 10 be agreed to — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 79

Ms Allan; Mr Andrews; Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Pesutto; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Question — That amendment Nos 11 to 14 be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 17 **FREEDOM OF INFORMATION AMENDMENT (OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 88 — Wednesday 31 August 2016

- 1 The Speaker took the Chair and read the Prayer.
- 2 **CRIMES AMENDMENT (CARJACKING AND HOME INVASION) BILL 2016** — Mr Pakula obtained leave to bring in a Bill 'for an Act to amend the *Crimes Act 1958* to create new offences of carjacking and home invasion, to amend the *Sentencing Act 1991* to provide that mandatory terms of imprisonment apply to the offences of aggravated carjacking and aggravated home invasion, to amend the *Bail Act 1977* to include aggravated carjacking, home invasion and aggravated home invasion as show cause offences under that Act and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Bayswater Level Crossing Removal Project** — Requesting that the Legislative Assembly calls on the Government to keep the existing three lane carriageway on Mountain Highway, bearing 199 signatures (*Ms Victoria*)
- Country Fire Authority** — Requesting that the Legislative Assembly calls on the Government to not give control of the Country Fire Authority to the United Firefighters Union, bearing 799 signatures (*Mr McCurdy*)
- Childcare Places in Donald and Charlton** — Requesting that the Legislative Assembly calls on the Government to address the lack of occasional and long-term childcare places in Donald and Charlton by working with the community to establish an appropriate childcare delivery model, bearing 114 signatures (*Ms Staley*).
- Petitions ordered to be tabled.

4 **PETITION — BAYSWATER LEVEL CROSSING REMOVAL PROJECT** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

5 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.

6 **PETITION — CHILDCARE PLACES IN DONALD AND CHARLTON** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

7 **DOCUMENTS**

LEAST COST CAPACITY EXPANSION PRINCIPLES ORDER — Order under the *Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Act 2016* tabled by leave (*Mr Pallas*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Audit Committee Governance — Ordered to be published

Improving Cancer Outcomes Act 2014 — Victorian cancer plan 2016–2020

Statutory Rules under the following Acts:

Building Act 1993 — SRs 103, 104

Infringements Act 2006 — SR 101

Land Act 1958 — SR 102

Victorian Environmental Assessment Council Act 2001 — Government response to the Victorian Environmental Assessment Council's Marine Investigation.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Local Government Amendment Bill 2016 without amendment.

9 **STATEMENTS BY MEMBERS** — Statements by members were made.

10 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Family and Community Development Committee's Final Report on the Inquiry into abuse in disability services

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into portability of long service leave entitlements.

11 **CORRECTIONS LEGISLATION AMENDMENT BILL 2016** — *Ms Neville* tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 14 September 2016.

- 12 **EQUAL OPPORTUNITY AMENDMENT (RELIGIOUS EXCEPTIONS) BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 14 September 2016.

- 13 **TRADITIONAL OWNER SETTLEMENT AMENDMENT BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 14 September 2016.

- 14 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR COMMUNICATION STANDARDS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 15 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 16 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 17 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR COMMUNICATION STANDARDS) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 18 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — JOB CREATION** — The House was informed that Mr Noonan had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House:

- (1) notes that the Andrews Labor Government has:

- (a) created over 150,000 jobs since being elected in November 2014, including over 33,000 in regional Victoria;

- (b) exceeded its election commitment target to create 100,000 full time jobs in its first two years;
 - (c) continued to support the creation of new jobs through its major infrastructure agenda that will create over 15,000 jobs during construction;
 - (d) attracted more private investment and jobs to Victoria through the Victoria: A State of Momentum campaign;
 - (e) implemented its election commitment from 1 January 2016 of 10 per cent of labour hours on major projects over \$20 million to be dedicated to apprentices, trainees and engineering cadets;
 - (f) announced further reforms to increase jobs and improve workforce participation, including boosting opportunities to put local jobs and industry first through changes to the Victorian Industry Participation Policy; and
- (2) condemns the former Liberal-Nationals government for increasing unemployment from 4.9 per cent to 6.6 per cent and sacking thousands of workers across the public service.'

Mr Noonan addressed the House — Discussion followed.

- 19 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR COMMUNICATION STANDARDS) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Acting Speaker announced the receipt of a message from the Legislative Council proposing that the Legislative Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Damian Drum and that the time and place of such a meeting be the Legislative Assembly Chamber on Wednesday 31 August 2016 at 6.45 pm or, at the latest, on Thursday 1 September 2016 at 4.45 pm.

Motion made and question — That the message be taken into consideration later this day (*Ms Hennessy*) — and, after debate —

Amendment proposed — That the words 'later this day' be omitted with the view of inserting in their place the word 'immediately' (*Mr Walsh*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

Original question — put and agreed to.

- 21 **POLICE AND JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 89 — Thursday 1 September 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government to not give control of the Country Fire Authority to the United Firefighters Union, bearing 57 signatures (*Ms McLeish*)

Saleyards in Miners Rest — Requesting that the Legislative Assembly calls on the Government to immediately order an independent review of the Environment Protection Authority's decision to grant works approval for the proposed saleyards at Miners Rest, bearing 852 signatures (*Ms Staley*).

Petitions ordered to be tabled.

- 3 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

- 4 **PETITION — SALEYARDS IN MINERS REST** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

- 5 **DOCUMENTS**

COMPETITIVE NEUTRALITY PRICING PRINCIPLES ORDER — Order under the *Port Management Act 1995* tabled by leave (*Mr Donnellan*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

National Parks Act 1975 — Greater Alpine National Parks Management Plan

Ombudsman — Good Practice Guide to Handling Complaints Report and Guide — Ordered to be published.

- 6 **CRIMES AMENDMENT (CARJACKING) BILL 2016** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill 'for an Act to amend the *Crimes Act 1958* to provide for the new indictable offences of carjacking and aggravated carjacking and for other purposes'.

Motion made and question — That this bill be now read a first time (*Mr Clark*) — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 7 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 31 August 2016, given the royal assent to the Local Government Amendment Bill 2016, presented to her by the Clerk of the Parliaments.
- 8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 13 September 2016 (*Mr Donnellan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

9 **STATEMENTS BY MEMBERS** — Statements by members were made.

10 **CRIMES AMENDMENT (CARJACKING AND HOME INVASION) BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 15 September 2016.

11 **MELBOURNE AND OLYMPIC PARKS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

14 **MELBOURNE AND OLYMPIC PARKS AMENDMENT BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Walsh; Mr Watt; Mr Wells.

NOES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 30 August 2016 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **FREEDOM OF INFORMATION AMENDMENT (OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **POLICE AND JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **NATIONAL DOMESTIC VIOLENCE ORDER SCHEME BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR COMMUNICATION STANDARDS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.07 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.32 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 90, 91 and 92

No 90 — Tuesday 13 September 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF JOAN HEYWOOD CHAMBERS** — The Speaker announced the death of Joan Heywood Chambers, Member of the Legislative Assembly for the Electoral District of Ballarat South from 1979 to 1982; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 5 **ALPINE RESORTS LEGISLATION AMENDMENT BILL 2016** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to amend the **Alpine Resorts Act 1983** and the **Alpine Resorts (Management) Act 1997** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **CHILD WELLBEING AND SAFETY AMENDMENT (OVERSIGHT AND ENFORCEMENT OF CHILD SAFE STANDARDS) BILL 2016** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the **Child Wellbeing and Safety Act 2005** to provide for the oversight and enforcement of compliance by certain entities with standards in relation to child safety, to amend the **Commission for Children and Young People Act 2012** in relation to review and reporting obligations under that Act, to amend the **Children, Youth and Families Act 2005** to provide for the publication of certain information and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **LORD MAYOR'S CHARITABLE FOUNDATION BILL 2016** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to repeal the **Lord Mayor's Charitable Fund Act 1996** and re-enact with amendments the law relating to the Lord Mayor's Charitable Fund and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **MEDICAL TREATMENT PLANNING AND DECISIONS BILL 2016** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to provide for a scheme of medical treatment planning, to provide for the making of medical treatment decisions on behalf of, and the administration of medical research procedures to, persons who do not have decision-making capacity, to repeal the **Medical Treatment Act 1988**, to amend the **Mental Health Act 2014** in relation to approval procedures for electroconvulsive treatment of adults who do not have capacity, to make consequential amendments to that and other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **VICTORIAN FISHERIES AUTHORITY BILL 2016** — Ms Allan obtained leave to bring in a Bill '*for an Act to establish the Victorian Fisheries Authority, to make amendments to the **Fisheries Act 1995** to enable the Victorian Fisheries Authority and its chief executive officer to perform or exercise regulatory functions or powers under that Act, to make further consequential amendments to the **Conservation, Forests and Lands Act 1987**, the **Fisheries Act 1995** and other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 12 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Births, Deaths and Marriages Registration Amendment Bill 2016
 Corrections Legislation Amendment Bill 2016
 Crimes Amendment (Carjacking and Home Invasion) Bill 2016
 Equal Opportunity Amendment (Religious Exceptions) Bill 2016
 Estate Agents Amendment (Underquoting) Bill 2016
 Freedom of Information Amendment (Office of the Victorian Information Commissioner) Bill 2016
 National Domestic Violence Order Scheme Bill 2016
 Police and Justice Legislation Amendment (Miscellaneous) Bill 2016
 Primary Industries Legislation Amendment Bill 2016
 Traditional Owner Settlement Amendment Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Ombudsman — Investigation into the management of complex workers compensation claims and WorkSafe oversight — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C198
 Boroondara — C242
 Brimbank — C173 Part 1
 Casey — C189
 Greater Shepparton — C98 Part 2
 Hume — C200
 Indigo — C72
 Maribyrnong — C135
 Melbourne — C297
 Pyrenees — C39
 Warrnambool — C100

Road Safety Camera Commissioner — Report 2015–16

Statutory Rules under the following Acts:

Confiscation Act 1997 — SR 110
Gambling Regulation Act 2003 — SR 111
Residential Tenancies Act 1997 — SR 112
Supreme Court Act 1986 — SRs 105, 106, 107, 108, 109
Victorian Civil and Administrative Tribunal Act 1998 — SR 113

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113

Documents under s 16B in relation to the *Retail Leases Act 2003* — Ministerial Determination: Tenants of Premises that are not Retail Premises

Surveillance Devices Act 1999 — Reports of the Victorian Inspectorate under s 30Q (five documents).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Confiscation and Other Matters Amendment Act 2016 — Remaining provisions — 1 September 2016 (*Gazette S270, 30 August 2016*)

Justice Legislation (Evidence and Other Acts) Amendment Act 2016 — Whole Act (except Part 3) — 12 September 2016 (*Gazette S278, 6 September 2016*)

National Parks and Victorian Environmental Assessment Council Acts Amendment Act 2016 — Whole Act — 7 September 2016 (*Gazette S278, 6 September 2016*).

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Amendment (Sexual Offences) Bill 2016 without amendment.

12 **MESSAGE FROM THE ADMINISTRATOR, AS THE GOVERNOR'S DEPUTY — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 6 September 2016, given the royal assent to the following bills, presented to him by the Clerk of the Parliaments:

Crimes Amendment (Sexual Offences) Bill 2016
Primary Industries Legislation Amendment Bill 2016.

13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following items be considered and completed by 5.00 pm on Thursday 15 September 2016:

Births, Deaths and Marriages Registration Amendment Bill 2016
Corrections Legislation Amendment Bill 2016
Crimes Amendment (Carjacking and Home Invasion) Bill 2016
Equal Opportunity Amendment (Religious Exceptions) Bill 2016
Estate Agents Amendment (Underquoting) Bill 2016
Take note motion on the Parliamentary Apology for Laws Criminalising Homosexuality and the Harms Caused

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 14 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 15 **ESTATE AGENTS AMENDMENT (UNDERQUOTING) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 17 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 91 — Wednesday 14 September 2016

- 1 The Speaker took the Chair and read the Prayer.
- 2 **FOOD AMENDMENT (KILOJOULE LABELLING SCHEME AND OTHER MATTERS) BILL 2016** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to amend the Food Act 1984 to provide for a kilojoule labelling scheme and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:
- Bayswater Level Crossing Removal Project** — Requesting that the Legislative Assembly calls on the Government to keep the existing three lane carriageway on Mountain Highway, bearing 32 signatures (*Ms Victoria*).
- Ordered to be tabled.
- 4 **PETITION — BAYSWATER LEVEL CROSSING REMOVAL PROJECT** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Meeting Obligations to Protect Ramsar Wetlands — Ordered to be published

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Flagstaff Gardens

Independent Broad-based Anti-corruption Commission — Report 2015–16 — Ordered to be published

Statutory Rules under the following Acts:

Building Act 1993 — SR 114

Magistrates' Court Act 1989 — SR 115

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 114.

- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Family and Community Development Committee's Final Report on the Inquiry into Abuse in Disability Services

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into the Conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the Inquiry into the Impact on Victorian Government Service Delivery of Changes to National Partnership Agreements.

- 8 **ALPINE RESORTS LEGISLATION AMENDMENT BILL 2016** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 28 September 2016.

- 9 **CHILD WELLBEING AND SAFETY AMENDMENT (OVERSIGHT AND ENFORCEMENT OF CHILD SAFE STANDARDS) BILL 2016** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 28 September 2016.

- 10 **LORD MAYOR'S CHARITABLE FOUNDATION BILL 2016** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 28 September 2016.

- 11 **MEDICAL TREATMENT PLANNING AND DECISIONS BILL 2016** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 28 September 2016.

- 12 **CORRECTIONS LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 15 **CORRECTIONS LEGISLATION AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — CRIME RATES AND POLICE RESOURCES** — The House was informed that Mr Katos had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

That this House:

- (1) notes under the Andrews Labor Government:
 - (a) Victorians are now living in a state of fear with crime having increased by 12 per cent over the past year including a rise in carjackings, home invasions, drive-by shootings and gang violence which are all too common and frequent;
 - (b) despite this surging crime wave, the latest Victoria Police figures show the number of police per capita and the number of first responder police on the frontline at police stations have been cut since November 2014; and
 - (c) an increasing number of police stations are being closed or are having their operating hours cut due to the critical shortage of frontline police including Endeavour Hills, Burwood, Ashburton, Carrum Downs, Mt Waverley, Craigieburn, Epping, Waurin Ponds,

Nunawading, Whitfield, Tatura, Somerville, Reservoir, Pakenham, Mooroolbark and Lakes Entrance;

- (2) calls on the Premier to urgently provide Victoria Police with the frontline resources it so desperately needs to address the law and order crisis presently confronting the Victorian community.'

Mr Katos addressed the House — Discussion followed.

[The Acting Speaker having left the Chair at 3.22 pm, resumed it at 3.47 pm]

- 17 **CORRECTIONS LEGISLATION AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Tobacco Amendment Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 19 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Acting Speaker announced the receipt of a message from the Legislative Council proposing that the Legislative Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Damian Drum and that the time and place of such a meeting be the Legislative Assembly Chamber on Wednesday 14 September 2016 at 6.45 pm or, at the latest, on Thursday 15 September 2016 at 4.45 pm.

Motion made and question — That the message be taken into consideration later this day (*Ms Hennessy*).

Amendment proposed — That the words 'later this day' be omitted with the view of inserting in their place the word 'immediately' (*Mr Clark*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

- 20 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Requesting that the Legislative Assembly grants leave to the Minister for Public Transport, the Honourable Jacinta Allan, MP, to appear before the Legislative Council Standing Committee on Economy and Infrastructure to give evidence and answer questions in relation to the Committee's inquiry into ride sourcing services.

Motion made and question — That the message be taken into consideration later this day (*Mr Merlino*) — and after debate —

Amendment proposed — That the words 'later this day' be omitted with the view of inserting in their place the word 'immediately' (*Ms Allan*) — and, after debate —

Question — That the words proposed to be omitted stand part — put and defeated.

Question — That the word proposed in the amendment be inserted — put and agreed to.

- 21 **ATTENDANCE OF MINISTER BEFORE STANDING COMMITTEE OF THE LEGISLATIVE COUNCIL** — Order read for the consideration of the message from the Legislative Council.

Motion made and question — That this House refuses to grant leave to the Minister for Public Transport, the Honourable Jacinta Allan, MP, to appear before the Legislative Council Standing Committee on Economy and Infrastructure to give evidence and answer questions in relation to the Committee's inquiry into ride sourcing services (*Mr Merlino*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That a message be sent to the Legislative Council informing them accordingly.

- 22 **EQUAL OPPORTUNITY AMENDMENT (RELIGIOUS EXCEPTIONS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Under standing orders, Mr Hibbins announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.
Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 92 — Thursday 15 September 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Grand Final Eve Public Holiday — Requesting that the Legislative Assembly calls on the Government to reverse its decision to impose the Grand Final eve public holiday, bearing 107 signatures (*Mr Hodgett*)

Maroondah Hospital Car Parking — Requesting that the Legislative Assembly calls on the Government to provide Eastern Health with the funds needed to build a car parking solution for Maroondah Hospital that will meet the community's needs, bearing 125 signatures (*Mr Hodgett*)

Special Religious Instruction in Government Schools — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 282 signatures (*Mr Hodgett*)

Additional Frontline Police — Requesting that the Legislative Assembly calls on the Government to commit to providing additional frontline police, bearing 9 signatures (*Mr Burgess*)

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government not to sign the Enterprise Bargaining Agreement that will hand over control of the Country Fire Authority to the United Firefighters Union, bearing 9 signatures (*Mr Burgess*)

Gippsland V/Line Services — Requesting that the Legislative Assembly calls on the Government to rule out any plans to terminate Gippsland V/Line services at Pakenham railway station, as suggested by the Government's Regional Citizen Jury, bearing 2120 signatures (*Mr Northe*).

Petitions ordered to be tabled.

- 3 **PETITION — GRAND FINAL EVE PUBLIC HOLIDAY** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.
- 4 **PETITION — MAROONDAH HOSPITAL CAR PARKING** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.
- 5 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.

6 **PETITION — ADDITIONAL FRONTLINE POLICE** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

7 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

8 **PETITION — GIPPSLAND V/LINE SERVICES** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

9 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Essential Services Commission — The Energy Value of Distributed Generation: Distributed Generation Inquiry Stage 1 Final Report

Federation Training — Report 2014

Members of Parliament (Register of Interests) Act 1978 — Summary of Returns June 2016 — Ordered to be published.

10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 11 October 2016 (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **FOOD AMENDMENT (KILOJOULE LABELLING SCHEME AND OTHER MATTERS) BILL 2016** — *Ms Hennessy* tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 29 September 2016.

- 13 **VICTORIAN FISHERIES AUTHORITY BILL 2016** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 29 September 2016.

- 14 **CRIMES AMENDMENT (CARJACKING AND HOME INVASION) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

- 15 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 16 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 17 **CRIMES AMENDMENT (CARJACKING AND HOME INVASION) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Ms Richardson (*Northcote*) announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Motion made and question — That the debate be adjourned until later this day (*Mr Scott*).

Amendment proposed — That the words 'later this day' be omitted with the view of inserting in their place the words 'the message from the Legislative Council proposing a joint sitting has been dealt with' (*Mr Walsh*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Livestock Disease Control Amendment Bill 2016 without amendment.

19 **BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of items under the resolution of the House on Tuesday 13 September 2016 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **CORRECTIONS LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **ESTATE AGENTS AMENDMENT (UNDERQUOTING) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **EQUAL OPPORTUNITY AMENDMENT (RELIGIOUS EXCEPTIONS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 23 **PARLIAMENTARY APOLOGY FOR LAWS CRIMINALISING HOMOSEXUALITY AND THE HARMS CAUSED** — Order read for resuming debate on question — That this House takes note of the parliamentary apology for laws criminalising homosexuality and the harms caused — put and agreed to.

- 24 **CRIMES AMENDMENT (CARJACKING AND HOME INVASION) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 5 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.15 pm under sessional orders.

- 25 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.44 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 93, 94 and 95

No 93 — Tuesday 11 October 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **COMPENSATION LEGISLATION AMENDMENT BILL 2016** — Mr Scott obtained leave to bring in a Bill *for an Act to amend the Accident Compensation Act 1985, the Limitation of Actions Act 1958, the Transport Accident Act 1986 and the Workplace Injury Rehabilitation and Compensation Act 2013 to further improve the operation of those Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2016** — Mr Pallas obtained leave to bring in a Bill *for an Act to amend the Land Tax Act 2005, the Payroll Tax Act 2007, the Planning and Environment Act 1987 and the Valuation of Land Act 1960 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **DOMESTIC ANIMALS AMENDMENT (PUPPY FARMS AND PET SHOPS) BILL 2016** — Ms Allan obtained leave to bring in a Bill *for an Act to amend the Domestic Animals Act 1994 to regulate the number of fertile female dogs to be kept by breeding domestic animal businesses, to further regulate the breeding of dogs and cats and the sale of dogs and cats in pet shops, to provide for registration of foster carers and for single use permits to sell certain animals, to further provide for the administration and enforcement of that Act and legal proceedings and to provide for other minor and related matters and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (ABOLITION OF THE PENALTY FARES SCHEME) BILL 2016** — Ms Allan obtained leave to bring in a Bill *for an Act to amend the Transport (Compliance and Miscellaneous) Act 1983 to abolish the on-the-spot penalty fares scheme and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **TRANSPORT INTEGRATION AMENDMENT (HEAD, TRANSPORT FOR VICTORIA AND OTHER GOVERNANCE REFORMS) BILL 2016** — Ms Allan obtained leave to bring in a Bill *for an Act to amend the Transport Integration Act 2010 to reform the governance of sector transport agencies and to establish the Head, Transport for Victoria as the lead transport agency, to provide for the ongoing public ownership of V/Line's operations, to make related and consequential amendments to the Transport Integration Act 2010 and certain other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Cranbourne West Rezoning — Requesting that the Legislative Assembly approves plans to rezone the Cranbourne West area to include a general residential zone and commercial zone that is separated along the Central Park Way and Wedge Road Boundary, bearing 777 signatures (*Mr Perera*)

Equal Opportunity Amendment (Religious Exceptions) Bill 2016 — Requesting that the Legislative Assembly calls on the Government to withdraw the Equal Opportunity Amendment (Religious Exceptions) Bill 2016, bearing 37 signatures (*Mr Crisp*).

Petitions ordered to be tabled.

10 **PETITION — EQUAL OPPORTUNITY AMENDMENT (RELIGIOUS EXCEPTIONS) BILL 2016** — Motion made and question — That the petition presented by the Member for Mildura be taken into consideration tomorrow (*Mr Crisp*) — put and agreed to.

11 **PETITION — CRANBOURNE WEST REZONING** — Motion made and question — That the petition presented by the Member for Cranbourne be taken into consideration tomorrow (*Mr Perera*) — put and agreed to.

12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 13 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Alpine Resorts Legislation Amendment Bill 2016
 Births, Deaths and Marriages Registration Amendment Bill 2016
 Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Bill 2016
 Equal Opportunity Amendment (Religious Exceptions) Bill 2016
 Food Amendment (Kilojoule Labelling Scheme and Other Matters) Bill 2016
 Lord Mayor's Charitable Foundation Bill 2016
 Medical Treatment Planning and Decisions Bill 2016
 Traditional Owner Settlement Amendment Bill 2016
 Victorian Fisheries Authority Bill 2016
 SR No 47 — Sex Work Regulations 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Agriculture Victoria Services Pty Ltd — Report 2015–16

Barwon Region Water Corporation — Report 2015–16

Central Gippsland Region Water Corporation — Report 2015–16

Central Highlands Region Water Corporation — Report 2015–16

Charter of Human Rights and Responsibilities Act 2006 — Report 2015 on the operation of the Act — Ordered to be published

City West Water Corporation — Report 2015–16

Coliban Region Water Corporation — Report 2015–16

Commission for Children and Young People Act 2012 — In the child's best interests — Inquiry into compliance with the intent of the Aboriginal Child Placement Principle in Victoria — Ordered to be published

Corangamite Catchment Management Authority — Report 2015–16

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Richmond Park Reserve

Dairy Food Safety Victoria — Report 2015–16

Duties Act 2000 — Reports 2015–16 of exemptions and refunds under ss 250B and 250DD (two documents)

East Gippsland Catchment Management Authority — Report 2015–16

East Gippsland Region Water Corporation — Report 2015–16

Energy Safe Victoria — Report 2015–16

Environment Protection Authority — Report 2015–16

Financial Management Act 1994:

Reports from the Minister for Agriculture that she had received the reports 2015–16 of:

Murray Valley Wine Grape Industry Development Committee

Phytogene Pty Ltd

Veterinary Practitioners Registration Board of Victoria

Victorian Strawberry Industry Development Committee

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2015–16 of:

Barwon South West Waste and Resource Recovery Group

Commissioner for Environmental Sustainability

Gippsland Waste and Resource Recovery Group

Goulburn Valley Waste and Resource Recovery Group

Grampians Central West Waste and Resource Recovery Group

Loddon Mallee Waste and Resource Recovery Group

North East Waste and Resource Recovery Group

Reports from the Minister for Planning that he had received the reports 2015–16 of:

Architects Registration Board of Victoria

Heritage Council of Victoria

Surveyors Registration Board of Victoria

Report from the Minister for Women that she had received the Report 2015–16 of the Queen Victoria Women's Centre Trust

Geoffrey Gardiner Dairy Foundation Ltd — Report 2015–16 (two documents)

Gippsland and Southern Rural Water Corporation — Report 2015–16

Glenelg Hopkins Catchment Management Authority — Report 2015–16

Goulburn Broken Catchment Management Authority — Report 2015–16

Goulburn-Murray Rural Water Corporation — Report 2015–16

Goulburn Valley Region Water Corporation — Report 2015–16

Grampians Wimmera Mallee Water Corporation — Report 2015–16

Interpretation of Legislation Act 1984:

Notice under s 32(3)(a)(iii) in relation to Statutory Rule 114 (*Gazette G37, 15 September 2016*)

Notice under s 32(4)(a)(iii) in relation to Statutory Rules 54/2007, 166/2008, 37/2011, 132/2012 (*Gazette G37, 15 September 2016*)

Liquor Control Reform Act 1998 — Report 2015–16 under s 148R

Lower Murray Urban and Rural Water Corporation — Report 2015–16

Mallee Catchment Management Authority — Report 2015–16

Melbourne Market Authority — Report 2015–16

Melbourne Water Corporation — Report 2015–16

Metropolitan Planning Authority — Report 2015–16

Metropolitan Waste and Resource Recovery Group — Report 2015–16

National Parks Act 1975:

Notice of consent under s 40

Report 2015–16 on the working of the Act

National Parks Advisory Council — Report 2015–16

North Central Catchment Management Authority — Report 2015–16

North East Catchment Management Authority — Report 2015–16

North East Region Water Corporation — Report 2015–16

Ombudsman — Report 2015–16 — Ordered to be published

Parks Victoria — Report 2015–16

Phillip Island Nature Parks — Report 2015–16

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — C35

Bass Coast — C146

Benalla — GC52

Boroondara — C222 Part 2

Brimbank — C120

Casey — C211

Darebin — C136

Greater Dandenong — C122

Greater Geelong — C336

Hepburn — GC52

Kingston — C161

Manningham — C102

Maribyrnong — GC54

Melbourne — GC52, GC54

Mildura — C75
Mitchell — GC52
Moirra — C38
Moreland — GC52
Mornington Peninsula — GC52
Monash — C113
Port of Melbourne — GC54
Port Phillip — GC54
Southern Grampians — C14
Stonnington — C241
Surf Coast — C99
Wangaratta — GC52
Warrnambool — C93, C99
Wellington — GC52
Wyndham — C212, C216
Yarra — C221
Yarra Ranges — C153

Port Phillip and Westernport Catchment Management Authority — Report 2015–16

Project Development and Construction Management Act 1994 — Nomination orders under s 6, application orders under s 8 and a statement under s 9 of reasons for making a nomination order (nine documents)

Recreational Fishing Licence Trust Account — Report 2015–16 on the disbursement of revenue

Royal Botanic Gardens Board Victoria — Report 2015–16

South East Water Corporation — Report 2015–16

South Gippsland Region Water Corporation — Report 2015–16

Statutory Rules under the following Acts:

Access to Medicinal Cannabis Act 2016 — SR 118

Offshore Petroleum and Greenhouse Gas Storage Act 2010 — SR 123

Planning and Environment Act 1987 — SR 120

Prevention of Cruelty to Animals Act 1986 — SR 122

Racing Act 1958 — SR 116

Subdivision Act 1988 — SR 121

Subordinate Legislation Act 1994 — SR 117

Tobacco Act 1987 — SR 119

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 111, 115, 116, 117, 118, 119, 120, 121, 122

Sustainability Victoria — Report 2015–16

Trust for Nature (Victoria) — Report 2015–16

Victorian Broiler Industry Negotiation Committee — Report 2015–16

Victorian Building Authority — Report 2015–16

Victorian Catchment Management Council — Report 2015–16

Victorian Coastal Council — Report 2015–16

Victorian Environmental Assessment Council Act 2001 — Report on the Historic Places Investigation

Victorian Environmental Assessment Council — Report 2015–16

Victorian Environmental Water Holder — Report 2015–16

Victorian Industry Participation Policy — Report 2015–16

Wannon Region Water Corporation — Report 2015–16

West Gippsland Catchment Management Authority — Report 2015–16

Western Region Water Corporation — Report 2015–16

Westernport Region Water Corporation — Report 2015–16

Wimmera Catchment Management Authority — Report 2015–16

Yarra Valley Water Corporation — Report 2015–16

Zoological Parks and Gardens Board — Report 2015–16.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Access to Medicinal Cannabis Act 2016 — Parts 2, 4, 6, 7, 8 and 14, s 79 and the remaining provisions of Parts 12 and 13 (except ss 99, 121, 122, 124, 127, 128 and 132) — 14 September 2016; ss 121, 122, 124, 127, 128 and 132 — 21 October 2016 (*Gazette S284, 13 September 2016*)

Crimes Amendment (Sexual Offences) Act 2016 — Part 1 and ss 27(2), 28(2), 28(3) and 28(4) — 26 September 2016 (*Gazette S289, 20 September 2016*)

Crimes Legislation Amendment Act 2016 — Part 2 and Part 3 — 3 October 2016 (*Gazette S296, 27 September 2016*)

Education and Training Reform Amendment (Miscellaneous) Act 2016 — Remaining provisions — 29 September 2016 (*Gazette S296, 27 September 2016*)

Emergency Management (Control of Response Activities and Other Matters) Act 2015 — Sections 26(2) and 27 and Division 4 of Part 3 — 19 September 2016 (*Gazette S284, 13 September 2016*)

Justice Legislation (Evidence and Other Acts) Amendment Act 2016 — Part 3 — 3 October 2016 (*Gazette S296, 27 September 2016*)

Land (Revocation of Reservations — Metropolitan Land) Act 2016 — Whole Act (other than Parts 2 and 3) — 5 October 2016 (*Gazette S300, 4 October 2016*)

Primary Industries Legislation Amendment Act 2016 — Parts 1 and 3 — 29 September 2016 (*Gazette S296, 27 September 2016*)

Witness Protection Amendment Act 2016 — Parts 1 and 4 — 5 October 2016 (*Gazette S289, 20 September 2016*).

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 20 September 2016, given the royal assent to the Livestock Disease Control Amendment Bill 2016, presented to her by the Clerk of the Parliaments.

- 14 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Bill 2016

Food Amendment (Kilojoule Labelling Scheme and Other Matters) Bill 2016
Victorian Fisheries Authority Bill 2016.

- 15 **MESSAGE FROM THE GOVERNOR — SENATE VACANCY** — Transmitting a despatch from the Honourable the President of the Senate notifying that a vacancy had happened in the representation of the State of Victoria in the Senate of the Commonwealth of Australia through the resignation of Senator the Honourable Stephen Conroy on 30 September 2016.
- 16 **LEGISLATIVE COUNCIL AND SENATE VACANCIES** — Motion made, by leave, and question — That this House meets the Legislative Council for the purpose of sitting and voting together —
- (1) to choose a person to hold the place in the Council rendered vacant by the resignation of the Honourable Damian Drum, and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Wednesday 12 October 2016 at 6.45 pm; and
- (2) to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Stephen Conroy, and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Tuesday 25 October 2016 at 6.45 pm —

(*Ms Allan*) — put, after debate, and agreed to.

Ordered — That a message be sent to the Legislative Council informing them of the resolution and requesting their agreement.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following items be considered and completed by 5.00 pm on Thursday 13 October 2016:

Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Bill 2016

Food Amendment (Kilojoule Labelling Scheme and Other Matters) Bill 2016

Lord Mayor's Charitable Foundation Bill 2016

Take note motion on the Report of the Royal Commission into Family Violence

Traditional Owner Settlement Amendment Bill 2016

Victorian Fisheries Authority Bill 2016

(*Ms Allan*) — put, after debate, and agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **TRADITIONAL OWNER SETTLEMENT AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Burgess*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Crown Land Legislation Amendment Bill 2016

National Domestic Violence Order Scheme Bill 2016.

- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Informing the Legislative Assembly that they have agreed to meet the Assembly for the purpose of sitting and voting together —
- (1) to choose a person to hold the place in the Council rendered vacant by the resignation of the Honourable Damian Drum, and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Wednesday 12 October 2016 at 6.45 pm; and
 - (2) to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Stephen Conroy, and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Tuesday 25 October 2016 at 6.45 pm.
- 22 **CHILD WELLBEING AND SAFETY AMENDMENT (OVERSIGHT AND ENFORCEMENT OF CHILD SAFE STANDARDS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 23 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.27 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 94 — Wednesday 12 October 2016

- 1 The Speaker took the Chair and read the Prayer.
- 2 **SENTENCING (COMMUNITY CORRECTION ORDER) AND OTHER ACTS AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill *for an Act to amend the Sentencing Act 1991 to restrict the use by courts of non-custodial orders, to make various changes to the regime relating to community correction orders, to clarify the application of Part 8 of that Act to the Children's Court, to further provide for statements on the reduction of sentences for guilty pleas and to make various minor amendments to that Act, to amend the Bail Act 1977 to repeal provisions relating to the giving of a notice of trial, to make consequential amendments to the Crimes Act 1958, the Sentencing Act 1991, the Drugs, Poisons and Controlled Substances Act 1981 and the Terrorism (Community Protection) Act 2003 and for other purposes*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Equal Opportunity Amendment (Religious Exceptions) Bill 2016** — Requesting that the Legislative Assembly calls on the Government to withdraw the Equal Opportunity Amendment (Religious Exceptions) Bill 2016, bearing 33 signatures (*Mr Crisp*)
- Mornington Peninsula Freeway** — Requesting that the Legislative Assembly reduces traffic noise along the Mornington Peninsula Freeway by installing a noise attenuation solution, bearing 1147 signatures (*Mr Dixon*)
- Health Services in Clunes** — Requesting that the Legislative Assembly calls on the Government to ensure nursing services in Clunes are not reduced and that Hepburn Health is adequately resourced, bearing 537 signatures (*Ms Staley*)

Saleyards in Miners Rest — Requesting that the Legislative Assembly calls on the Government to immediately order an independent review of the Environment Protection Authority's decision to grant works approval for the proposed saleyards at Miners Rest, bearing 260 signatures (*Ms Staley*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 793 signatures (*Ms Spence*).

Petitions ordered to be tabled.

4 **PETITION — MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — EQUAL OPPORTUNITY AMENDMENT (RELIGIOUS EXCEPTIONS) BILL 2016** — Motion made and question — That the petition presented by the Member for Mildura be taken into consideration tomorrow (*Mr Crisp*) — put and agreed to.

6 **PETITION — HEALTH SERVICES IN CLUNES** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

7 **PETITION — SALEYARDS IN MINERS REST** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

8 DOCUMENTS

PARLIAMENTARY DEPARTMENTS — Reports 2015–16 of the Department of the Legislative Assembly and the Department of Parliamentary Services tabled by leave (*Mr Nardella*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 13 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Alpine Resorts Legislation Amendment Bill 2016
 Births, Deaths and Marriages Registration Amendment Bill 2016
 Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Bill 2016
 Equal Opportunity Amendment (Religious Exceptions) Bill 2016
 Food Amendment (Kilojoule Labelling Scheme and Other Matters) Bill 2016
 Lord Mayor's Charitable Foundation Bill 2016
 Medical Treatment Planning and Decisions Bill 2016
 Traditional Owner Settlement Amendment Bill 2016
 Victorian Fisheries Authority Bill 2016
 SR No 47 — Sex Work Regulations 2016

together with appendices (*in lieu of report previously tabled on Tuesday 11 October 2016*).

Ordered, after debate, to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Albury Wodonga Health — Report 2015–16

Alexandra District Health — Report 2015–16

Alfred Health — Report 2015–16

Alpine Health — Report 2015–16

Auditor-General — Report 2015–16

Austin Health — Report 2015–16

Bairnsdale Regional Health Service — Report 2015–16

Ballarat Health Services — Report 2015–16

Barwon Health — Report 2015–16

Bass Coast Health — Report 2015–16

Beaufort and Skipton Health Service — Report 2015–16

Beechworth Health Service — Report 2015–16

Benalla Health — Report 2015–16

Bendigo Health Care Group — Report 2015–16

Boort District Health — Report 2015–16

Calvary Health Care Bethlehem Ltd — Report 2015–16

Casterton Memorial Hospital — Report 2015–16

Castlemaine Health — Report 2015–16

Central Gippsland Health Service — Report 2015–16

Cobram District Hospital — Report 2015–16

Cohuna District Hospital and Cohuna Community Nursing Home Inc — Report 2015–16

Colac Area Health — Report 2015–16

Dental Health Services Victoria — Report 2015–16 (two documents)

Djerriwarrh Health Services — Report 2015–16

Dunmunkle Health Services — Report 2015–16

East Grampians Health Service — Report 2015–16

East Wimmera Health Service — Report 2015–16

Eastern Health — Report 2015–16

Echuca Regional Health — Report 2015–16

Edenhope and District Memorial Hospital — Report 2015–16

Financial Management Act 1994:

Reports from the Minister for Health that she had received the reports 2015–16 of:

Ballarat General Cemeteries Trust
Bendigo Cemeteries Trust
Geelong Cemeteries Trust
Mildura Cemetery Trust
Tweddle Child and Family Health Service
Victorian Assisted Reproductive Treatment Authority
Victorian Pharmacy Authority

Gippsland Southern Health Service — Report 2015–16

Goulburn Valley Health — Report 2015–16

Greater Metropolitan Cemeteries Trust — Report 2015–16

Health Purchasing Victoria — Report 2015–16

Health Services Commissioner, Office of — Report 2015–16

Heathcote Health — Report 2015–16

Hepburn Health Service — Report 2015–16

Hesse Rural Health Service — Report 2015–16

Heywood Rural Health — Report 2015–16

Inglewood and Districts Health Service — Report 2015–16

Kerang District Health — Report 2015–16

Kilmore and District Hospital — Report 2015–16

Kooweerup Regional Health Service — Report 2015–16 (two documents)

Kyabram and District Health Service — Report 2015–16

Kyneton District Health Service — Report 2015–16

Latrobe Regional Hospital — Report 2015–16

Lorne Community Hospital — Report 2015–16 (two documents)

Maldon Hospital — Report 2015–16

Mallee Track Health and Community Service — Report 2015–16

Mansfield District Hospital — Report 2015–16

Maryborough District Health Service — Report 2015–16

Melbourne Health — Report 2015–16

Mercy Public Hospitals Inc — Report 2015–16 (two documents)

Monash Health — Report 2015–16

Moyne Health Services — Report 2015–16

Nathalia District Hospital — Report 2015–16

Northeast Health Wangaratta — Report 2015–16

Northern Health — Report 2015–16

Numurkah District Health Service — Report 2015–16

Omeo District Health — Report 2015–16 (two documents)

Orbost Regional Health — Report 2015–16

Otway Health — Report 2015–16

Peninsula Health — Report 2015–16

Peter MacCallum Cancer Centre — Report 2015–16

Portland District Health — Report 2015–16 (two documents)

Queen Elizabeth Centre — Report 2015–16 (two documents)

Radiation Advisory Committee — Report 2015–16

Robinvale District Health Services — Report 2015–16

Rochester and Elmore District Health Service — Report 2015–16

Royal Children's Hospital Melbourne — Report 2015–16

Royal Victorian Eye and Ear Hospital — Report 2015–16

Royal Women's Hospital — Report 2015–16

Rural Northwest Health — Report 2015–16

Seymour Health — Report 2015–16

South Gippsland Hospital — Report 2015–16

South West Healthcare — Report 2015–16

Southern Metropolitan Cemeteries Trust — Report 2015–16

St Vincent's Hospital (Melbourne) Ltd — Report 2015–16

Stawell Regional Health — Report 2015–16

Swan Hill District Health — Report 2015–16

Tallangatta Health Service — Report 2015–16

Terang and Mortlake Health Service — Report 2015–16

Timboon and District Healthcare Service — Report 2015–16

Upper Murray Health and Community Services — Report 2015–16

Victorian Environmental Assessment Council Act 2001 — Notice of request for an assessment under s 26C

Victorian Health Promotion Foundation — Report 2015–16

West Gippsland Healthcare Group — Report 2015–16

West Wimmera Health Service — Report 2015–16

Western District Health Service — Report 2015–16

Western Health — Report 2015–16

Wimmera Health Care Group — Report 2015–16

Yarram and District Health Service — Report 2015–16

Yarrawonga District Health Service — Report 2015–16

Yea and District Memorial Hospital — Report 2015–16.

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Police and Justice Legislation Amendment (Miscellaneous) Bill 2016 without amendment.

- 10 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into the Conduct of the 2014 Victorian State Election.

- 12 **COMPENSATION LEGISLATION AMENDMENT BILL 2016** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 26 October 2016.

- 13 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2016** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 26 October 2016.

- 14 **DOMESTIC ANIMALS AMENDMENT (PUPPY FARMS AND PET SHOPS) BILL 2016** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 26 October 2016.

- 15 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (ABOLITION OF THE PENALTY FARES SCHEME) BILL 2016** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 26 October 2016.

- 16 **TRANSPORT INTEGRATION AMENDMENT (HEAD, TRANSPORT FOR VICTORIA AND OTHER GOVERNANCE REFORMS) BILL 2016** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 26 October 2016.

- 17 **CHILD WELLBEING AND SAFETY AMENDMENT (OVERSIGHT AND ENFORCEMENT OF CHILD SAFE STANDARDS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 18 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 19 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 20 **CHILD WELLBEING AND SAFETY AMENDMENT (OVERSIGHT AND ENFORCEMENT OF CHILD SAFE STANDARDS) BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 21 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.
- 22 **CHILD WELLBEING AND SAFETY AMENDMENT (OVERSIGHT AND ENFORCEMENT OF CHILD SAFE STANDARDS) BILL 2016** — Debate resumed on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Ms Couzens*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 23 **MESSAGE FROM THE ADMINSTRATOR, AS THE GOVERNOR'S DEPUTY** — Recommending a further appropriation for the purposes of the Tobacco Amendment Bill 2016.
- 24 **TOBACCO AMENDMENT BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

The Speaker advised that, following examination, he is of the opinion that amendment Nos 28 and 29 are a direct infringement of the privileges of the House, in that they seek to force an appropriation from the Consolidated Fund; a matter that under the *Constitution Act 1975* must originate in the Legislative Assembly.

Motion made and question — That the Legislative Assembly informs the Legislative Council that it refuses to entertain amendment Nos 28 and 29 as they seek to force an appropriation from the Consolidated Fund which is unlawful, being the exclusive power of the Legislative Assembly as set out in the *Constitution Act 1975* — (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Message sent to the Legislative Council informing them accordingly.

On the motion of Ms Hennessy and, after debate — amendment Nos 1 to 27 inclusive agreed to with an amendment.

Message sent to the Legislative Council informing them accordingly.

- 25 **FOOD AMENDMENT (KILOJOULE LABELLING SCHEME AND OTHER MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 26 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.28 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 95 — Thursday 13 October 2016

- 1 The Speaker took the Chair and read the Prayer.
- 2 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met on Wednesday 12 October 2016 with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of the Honourable Damian Drum, and that Mr Luke O'Sullivan has been duly chosen to hold the vacant place.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Police and community services in Melbourne's west** — Requesting that the Legislative Assembly funds police and community services in Melbourne's west and ensures legislation is made in line with community expectations to ensure residents feel safe in their community, bearing 840 signatures (*Ms Hennessy*)
- Wyndham Police Service Area** — Requesting that the Legislative Assembly allocates additional funds and first response police officers to the Wyndham Police Service Area, bearing 1566 signatures (*Mr Nardella*).
- Petitions ordered to be tabled.
- 4 **PETITION — WYNDHAM POLICE SERVICE AREA** — Motion made and question — That the petition presented by the Member for Melton be taken into consideration tomorrow (*Mr Nardella*) — put and agreed to.
- 5 **DOCUMENTS**
- VICTORIAN BUSHFIRES ROYAL COMMISSION IMPLEMENTATION PROGRESS REPORT 2016** — Tabled by leave (*Mr Merlino*).
- DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Accident Compensation Conciliation Service — Report 2015–16
- Adult, Community and Further Education Board — Report 2015–16
- Ambulance Victoria — Report 2015–16

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- AMES Australia — Report 2015–16 (two documents)
- Australian Centre for the Moving Image — Report 2015–16
- Australian Grand Prix Corporation — Report 2015–16
- Commission for Children and Young People — Report 2015–16
- Commissioner for Privacy and Data Protection, Office of — Report 2015–16 — Ordered to be published
- Community Visitors — Report 2015–16 under s 35 of the *Disability Act 2006*, s 224 of the *Mental Health Act 2014* and s 195 of the *Supported Residential Services (Private Proprietors) Act 2010* — Ordered to be published
- Disability Services Commissioner — Report 2015–16
- Docklands Studios Melbourne Pty Ltd — Report 2015–16
- Economic Development, Jobs, Transport and Resources, Department of — Report 2015–16
- Education and Training, Department of — Report 2015–16
- Emerald Tourist Railway Board — Report 2015–16
- Emergency Services Superannuation Board — Report 2015–16
- Environment, Land, Water and Planning, Department of — Report 2015–16
- Essential Services Commission — Report 2015–16
- Fed Square Pty Ltd — Report 2015–16
- Financial Management Act 1994:*
- Financial Report for the State of Victoria 2015–16, incorporating Quarterly Financial Report No 4 — Ordered to be published
- Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2015–16 of:
- Dhelkunya Dja Land Management Board
- Gunaikurnai Traditional Owner Land Management Board
- Film Victoria — Report 2015–16
- Freedom of Information Commissioner — Report 2015–16
- Geelong Performing Arts Centre Trust — Report 2015–16
- Health and Human Services, Department of — Report 2015–16
- Infrastructure Victoria — Report 2015–16
- Library Board of Victoria — Report 2015–16
- Melbourne and Olympic Parks Trust — Report 2015–16
- Melbourne Convention and Exhibition Trust — Report 2015–16

Melbourne Recital Centre — Report 2015–16 (two documents)

Members of Parliament (Register of Interests) Act 1978 — Cumulative Summary of Returns as at 30 September 2016 — Ordered to be published

Mental Health Complaints Commissioner — Report 2015–16

Mental Health Tribunal — Report 2015–16

Museums Board of Victoria — Report 2015–16

National Gallery of Victoria, Council of Trustees — Report 2015–16

Parliamentary Committees Act 2003 — Government response to the Law Reform, Road and Community Safety Committee's Inquiry into fuel drive-offs

Places Victoria — Report 2015–16

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Greater Geelong — C271

Latrobe — C98

Southern Grampians — C35

Whitehorse — C172 Part 2

Port of Hastings Development Authority — Report 2015–16

Premier and Cabinet, Department of — Report 2015–16

Public Record Office Victoria — Report 2015–16

Public Transport Development Authority — Report 2015–16

Roads Corporation (VicRoads) — Report 2015–16

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2015–16

Rolling Stock (Victoria-VL) Pty Ltd — Report 2015–16

Rolling Stock (VL-1) Pty Ltd — Report 2015–16

Rolling Stock (VL-2) Pty Ltd — Report 2015–16

Rolling Stock (VL-3) Pty Ltd — Report 2015–16

Rural Finance Corporation of Victoria — Report 1 July 2015 to 29 June 2016

Shrine of Remembrance — Report 2015–16

State Electricity Commission of Victoria — Report 2015–16

State Sport Centres Trust — Report 2015–16

State Trustees Ltd — Report 2015–16

Terrorism (Community Protection) Act 2003 — Reports 2015–16 under ss 13, 13ZR and 21M (two documents)

Transport Accident Commission — Report 2015–16

Treasury and Finance, Department of — Report 2015–16

Treasury Corporation of Victoria — Report 2015–16

V/Line Corporation — Report 2015–16

Victoria Grants Commission — Report 2015–16

Victorian Arts Centre Trust — Report 2015–16

Victorian Curriculum and Assessment Authority — Report 2015–16

Victorian Funds Management Corporation — Report 2015–16

Victorian Government Purchasing Board — Report 2015–16

Victorian Institute of Forensic Mental Health — Report 2015–16

Victorian Institute of Teaching — Report 2015–16

Victorian Managed Insurance Authority — Report 2015–16

Victorian Multicultural Commission — Report 2015–16

Victorian Rail Track — Report 2015–16

Victorian Regional Channels Authority — Report 2015–16

Victorian Registration and Qualifications Authority — Report 2015–16

Victorian Small Business Commissioner — Report 2015–16 — Ordered to be published

Victorian Veterans Council — Report 2015–16

Victorian WorkCover Authority — Report 2015–16

VITS Languagelink — Report 2015–16

Young Farmers' Finance Council — Report 2015–16.

6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 25 October 2016 (*Ms Allan*) — put and agreed to.

7 **STATEMENTS BY MEMBERS** — Statements by members were made.

8 **SENTENCING (COMMUNITY CORRECTION ORDER) AND OTHER ACTS AMENDMENT BILL 2016** — *Mr Pakula* tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 27 October 2016.

- 9 **LORD MAYOR'S CHARITABLE FOUNDATION BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

The Acting Speaker announced that the Speaker had ruled the Bill to be a private bill.

Motion made and question — That this Bill be treated as a public bill and that fees be dispensed with (*Mr Donnellan*) — put and agreed to.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

- 10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 12 **LORD MAYOR'S CHARITABLE FOUNDATION BILL 2016** — Debate continued on question— That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Melbourne and Olympic Parks Amendment Bill 2016 without amendment.

- 14 **VICTORIAN FISHERIES AUTHORITY BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of items under the resolution of the House on Tuesday 11 October 2016 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **FOOD AMENDMENT (KILOJOULE LABELLING SCHEME AND OTHER MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **TRADITIONAL OWNER SETTLEMENT AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **ROYAL COMMISSION INTO FAMILY VIOLENCE** — Order read for resuming debate on question — That this House takes note of the Report of the Royal Commission into Family Violence — put and agreed to.

- 18 **CHILD WELLBEING AND SAFETY AMENDMENT (OVERSIGHT AND ENFORCEMENT OF CHILD SAFE STANDARDS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **LORD MAYOR'S CHARITABLE FOUNDATION BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.31 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 96, 97 and 98

No 96 — Tuesday 25 October 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **FAMILY VIOLENCE REFORM IMPLEMENTATION MONITOR BILL 2016** — Mr Andrews obtained leave to bring in a Bill '*for an Act to establish the position of the Family Violence Reform Implementation Monitor, to provide for the functions, powers and duties of the Family Violence Reform Implementation Monitor and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **CRIMES LEGISLATION FURTHER AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to make miscellaneous amendments to the **Criminal Procedure Act 2009**, the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997**, the **Crimes Act 1958** and the **Jury Directions Act 2015** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **WORKING WITH CHILDREN AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Working with Children Act 2005** to require family members providing out of home care to obtain assessment notices, to require non-conviction charges to be considered in the determination of category C applications and re-assessments and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND IMPROVING SAFETY AND MARKETS) BILL 2016** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to amend the **Electricity Industry Act 2000**, the **Electricity Safety Act 1998**, the **Gas Safety Act 1997**, the **National Electricity (Victoria) Act 2005**, the **National Gas (Victoria) Act 2008** and the **Victorian Energy Efficiency Target Act 2007** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **HOUSING AMENDMENT (VICTORIAN HOUSING REGISTER AND OTHER MATTERS) BILL 2016** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the **Housing Act 1983** to provide for the establishment and administration of the Victorian Housing Register in relation to social housing, to enable the Director to determine matters relating to the Victorian Housing Register and the allocation of tenancies in social housing, to enable information sharing between relevant persons for certain purposes, to make further provision for the delegation of powers of the Director and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **ROAD LEGISLATION FURTHER AMENDMENT BILL 2016** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the **Road Management Act 2004**, the **Road Safety Act 1986**, the **Melbourne City Link Act 1995** and the **Heavy Vehicle National Law Application Act 2013**, to make consequential amendments to the **Independent Broad-based Anti-corruption Commission Act 2011** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Caroline Springs Police Station — Requesting that the Legislative Assembly calls for the Caroline Springs Police Station to be opened around the clock and ensures the community has sufficient police patrolling the area day and night, bearing 243 signatures (*Ms Kairouz*)

Gippsland V/Line Services — Requesting that the Legislative Assembly calls on the Government to rule out any plans to terminate Gippsland V/Line services at Pakenham railway station, as suggested by the Government's Regional Citizen Jury, bearing 121 signatures (*Mr Northe*).

Petitions ordered to be tabled.

11 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 14 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Compensation Legislation Amendment Bill 2016

Crimes Amendment (Carjacking and Home Invasion) Bill 2016

Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016

Food Amendment (Kilojoule Labelling Scheme and Other Matters) Bill 2016

Lord Mayor's Charitable Foundation Bill 2016

Medical Treatment Planning and Decisions Bill 2016

Sentencing (Community Correction Order) and Other Acts Amendment Bill 2016

State Taxation Acts Further Amendment Bill 2016

Transport (Compliance and Miscellaneous) Amendment (Abolition of the Penalty Fares Scheme) Bill 2016

Transport Integration Amendment (Head, Transport for Victoria and Other Governance Reforms) Bill 2016

Victorian Fisheries Authority Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Orders under ss 17B and 17D granting a licence and a lease over Trentham Public Park and Recreation Reserve (two orders)

Independent Broad-based Anti-corruption Commission — Operation Exmouth: An investigation into the conduct of former Victorian public servant, Carmine Petrone — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Baw Baw — GC31

Corangamite — C46

East Gippsland — C132

Frankston — C112

Greater Shepparton — C194

Latrobe — C93, GC31

Maribyrnong — C142

Melton — C167

Moonee Valley — C167

Mornington Peninsula — C189
 Mount Alexander — C60, C77
 Nillumbik — C110
 South Gippsland — C107, GC31
 Stonnington — C245
 Surf Coast — C110
 Whitehorse — C186
 Whittlesea — C76, C188
 Yarra Ranges — C155

Statutory Rules under the following Acts:

Australian Grands Prix Act 1994 — SR 133
Catchment and Land Protection Act 1994 — SR 125
Drugs, Poisons and Controlled Substances Act 1981 — SRs 131, 132
Gene Technology Act 2001 — SR 130
Metropolitan Fire Brigades Act 1958 — SR 129
Prevention of Cruelty to Animals Act 1986 — SR 127
Serious Sex Offenders (Detention and Supervision) Act 2009 — SR 128
Subordinate Legislation Act 1994 — SR 124

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 124, 125, 128, 129, 130
 Documents under s 16B in relation to the *Planning and Environment Act 1987* — Variation to the Community Infrastructure Levy Order

Victorian Electoral Commission — Report 2015–16

Victorian Inspectorate — Report 2015–16.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Gene Technology Amendment Act 2016 — Whole Act — 1 November 2016 (*Gazette S319, 18 October 2016*)
Serious Sex Offenders (Detention and Supervision) Amendment (Community Safety) Act 2016 — Part 3 — 31 October 2016 (*Gazette S319, 18 October 2016*).

- 12 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Crimes Amendment (Carjacking and Home Invasion) Bill 2016
 Victorian Funds Management Corporation Amendment Bill 2016.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Not insisting on their amendment Nos 28 and 29 in the Tobacco Amendment Bill 2016, and agreeing to the amendment made by the Legislative Assembly in the Bill.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 18 October 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Crimes Amendment (Carjacking and Home Invasion) Bill 2016
 Crown Land Legislation Amendment Bill 2016
 Melbourne and Olympic Parks Amendment Bill 2016

National Domestic Violence Order Scheme Bill 2016
 Police and Justice Legislation Amendment (Miscellaneous) Bill 2016
 Tobacco Amendment Bill 2016
 Victorian Funds Management Corporation Amendment Bill 2016.

- 15 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016
 Transport Integration Amendment (Head, Transport for Victoria and Other Governance Reforms) Bill 2016.

- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 27 October 2016:

Alpine Resorts Legislation Amendment Bill 2016
 Medical Treatment Planning and Decisions Bill 2016
 Sentencing (Community Correction Order) and Other Acts Amendment Bill 2016
 State Taxation Acts Further Amendment Bill 2016
 Transport (Compliance and Miscellaneous) Amendment (Abolition of the Penalty Fares Scheme) Bill 2016

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 17 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 18 **ALPINE RESORTS LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **MEDICAL TREATMENT PLANNING AND DECISIONS BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms Hennessy announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this bill be withdrawn and redrafted to ensure there are adequate safeguards and clear and effective procedures in relation to the making and implementation of advance care directives and the appointment of and decision making by medical treatment decision makers' (*Mr Clark*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 97 — Wednesday 26 October 2016

- 1 The Speaker took the Chair and read the Prayer.
- 2 **JOINT SITTING — SENATE VACANCY** — The Speaker reported that the House met on Tuesday 25 October 2016 with the Legislative Council for the purpose of choosing a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Stephen Conroy and that Ms Kimberley Kitching has been duly chosen to hold the vacant place.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Sky Rail along the Frankston Railway Line — Requesting that the Legislative Assembly calls on the Government to abandon any plans for an elevated sky rail along any part of the Frankston railway line, bearing 1574 signatures (*Mr Guy*)

Equal Opportunity Amendment (Religious Exceptions) Bill 2016 — Requesting that the Legislative Assembly calls on the Government to withdraw the Equal Opportunity Amendment (Religious Exceptions) Bill 2016, bearing 438 signatures (*Mrs Fyffe*)

Bus Route 788 — Requesting that the Legislative Assembly increases the frequency of the 788 bus service, connects the route with Frankston Hospital and Monash University, Frankston and publishes the Mornington Peninsula Bus Network Review, bearing 61 signatures (*Mr Dixon*)

Mornington Peninsula Freeway — Requesting that the Legislative Assembly reduces traffic noise along the Mornington Peninsula Freeway by installing a noise attenuation solution, bearing 43 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 4 **PETITION — SKY RAIL ALONG THE FRANKSTON RAILWAY LINE** — Motion made and question — That the petition presented by the Member for Bulleen be taken into consideration tomorrow (*Mr Guy*) — put and agreed to.
- 5 **PETITION — BUS ROUTE 788** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 7 **PETITION — EQUAL OPPORTUNITY AMENDMENT (RELIGIOUS EXCEPTIONS) BILL 2016** — Motion made and question — That the petition presented by the Member for Evelyn be taken into consideration tomorrow (*Mrs Fyffe*) — put and agreed to.
- 8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Efficiency and Effectiveness of Hospital Services: Emergency Care — Ordered to be published
High Value High Risk 2016–17: Delivering HVHR Projects — Ordered to be published

Commission for Children and Young People — Always was, always will be Koori children: Systemic inquiry into services provided to Aboriginal children and young people in out-of-home care in Victoria — Ordered to be published

Legal Profession Uniform Law Application Act 2014 — Practitioner Remuneration Order 2017 under s 96

Ombudsman — Ombudsman enquiries: Resolving complaints informally — Ordered to be published.

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Corrections Legislation Amendment Bill 2016
Estate Agents Amendment (Underquoting) Bill 2016
Legal Profession Uniform Law Application Amendment Bill 2016.

- 10 **ORDERS OF THE DAY DISCHARGED** — Motion made, by leave, and question — That the following Orders of the Day, Government Business, be read and discharged:

Proposal for a joint sitting — Message from the Legislative Council (31 August 2016) — To be considered

Proposal for a joint sitting — Message from the Legislative Council (14 September 2016) — To be considered

(*Ms Allan*) — put and agreed to.

- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Electoral Matters Committee's Report on the Inquiry into the Conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates.

- 13 **FAMILY VIOLENCE REFORM IMPLEMENTATION BILL 2016** — *Mr Andrews tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Andrews*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 November 2016.

- 14 **CRIMES LEGISLATION FURTHER AMENDMENT BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 November 2016.

- 15 **WORKING WITH CHILDREN AMENDMENT BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 November 2016.

- 16 **ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND IMPROVING SAFETY AND MARKETS) BILL 2016** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 November 2016.

- 17 **HOUSING AMENDMENT (VICTORIAN HOUSING REGISTER AND OTHER MATTERS) BILL 2016** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 November 2016.

- 18 **ROAD LEGISLATION FURTHER AMENDMENT BILL 2016** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 9 November 2016.

- 19 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (ABOLITION OF THE PENALTY FARES SCHEME) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 20 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 21 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 22 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (ABOLITION OF THE PENALTY FARES SCHEME) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 23 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — SUICIDE PREVENTION** — The House was informed that Mr Foley had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

That this House:

- (1) notes that:
 - (a) in 2015 we lost 654 Victorians to suicide, which is over twice our road toll;
 - (b) this tragic loss of life is preventable and we can do more to support vulnerable Victorians; and
 - (c) the Victorian Government committed to halve our suicide toll by 2025 and made a landmark \$27 million investment into targeted suicide prevention initiatives around the state — the first of its kind;

- (2) encourages the Federal Government to prioritise their National Suicide Prevention Strategy as a matter of urgency and join Victoria in investing in our communities and hospitals to ensure we can save the lives of our most vulnerable Victorians.'

Mr Foley addressed the House — Discussion followed.

- 24 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (ABOLITION OF THE PENALTY FARES SCHEME) BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Richardson, Mordialloc*) — put and agreed to.

Ordered — That the debate be adjourned until later this day

- 25 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to — (1) take into account further consultation about the proposed amendments to the *Planning and Environment Act 1987* in relation to the growth areas infrastructure contribution; and (2) retain the remaining provisions of the bill' (*Mr O'Brien, Malvern*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 26 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.30 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 98 — Thursday 27 October 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Bayswater Level Crossing Removal Project — Requesting that the Legislative Assembly calls on the Government to keep the existing three lane carriageway on Mountain Highway, bearing 11 signatures (*Ms Victoria*)

Taxi Industry Reforms — Requesting that the Legislative Assembly considers the impact the proposed taxi reforms will have on taxi licence owners, increases compensation to a minimum of \$250,000 per taxi licence and establishes an additional hardship fund for people who purchased their licence at peak price, bearing 6041 signatures (*Mr Nardella*)

Equal Opportunity Amendment (Religious Exceptions) Bill 2016 — Requesting that the Legislative Assembly calls on the Government to withdraw the Equal Opportunity Amendment (Religious Exceptions) Bill 2016, bearing 422 signatures (*Mr Smith, Warrandyte*).

Petitions ordered to be tabled.

3 **PETITION — BAYSWATER LEVEL CROSSING REMOVAL PROJECT** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

4 **PETITION — TAXI INDUSTRY REFORMS** — Motion made and question — That the petition presented by the Member for Melton be taken into consideration tomorrow (*Mr Nardella*) — put and agreed to.

5 **DOCUMENTS**

OFFICE OF THE PUBLIC ADVOCATE — Report 2015–16 tabled by leave (*Mr Pakula*).

Ordered to be published.

VICTORIA LAW FOUNDATION — Report 2015–16 tabled by leave (*Mr Pakula*).

CONSUMER UTILITIES ADVOCACY CENTRE — Report 2015–16 tabled by leave (*Ms Kairouz*).

POLICE REGISTRATION AND SERVICES BOARD — Report 2015–16 tabled by leave (*Ms Neville*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Adult Parole Board — Report 2015–16

Agricultural Industry Development Act 1990 — Order under s 8

Confiscation Act 1997:

Asset Confiscation Operations Report 2015–16
Report 2015–16 under s 139A

Consumer Affairs Victoria — Report 2015–16 — Ordered to be published

Country Fire Authority — Report 2015–16

Emergency Services Telecommunications Authority — Report 2015–16

Financial Management Act 1994:

Report from the Minister for Agriculture that she had received the Report 2015–16 of PrimeSafe
Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2015–16 of:

Alpine Resorts Co-ordinating Council
Yorta Yorta Traditional Owner Land Management Board

Forensic Leave Panel — Report 2015

Greyhound Racing Victoria — Report 2015–16

Harness Racing Victoria — Report 2015–16

Justice and Regulation, Department of — Report 2015–16

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- Legal Practitioners' Liability Committee — Report 2015–16
- Metropolitan Fire and Emergency Services Board — Report 2015–16
- National Rail Safety Regulator, Office of — Report 2015–16
- Racing Integrity Commissioner, Office of — Report 2015–16
- Regional Development Victoria — Report 2015–16
- Residential Tenancies Bond Authority — Report 2015–16
- Sentencing Advisory Council — Report 2015–16
- Subordinate Legislation Act 1994* — Document under s 15 in relation to the *Road Safety Act 1986* — Guidelines for Assessing Fitness to Drive (*Gazette S293, 23 September 2016*)
- Surveillance Devices Act 1999* — Reports 2015–16 under s 30L (five documents)
- Taxi Services Commission — Report 2015–16
- Tourism Victoria — Report 2015–16
- VicForests — Report 2015–16
- Victims of Crime Assistance Tribunal — Report 2015–16
- Victims of Crime Commissioner, Office of — Report 2015–16
- Victoria Legal Aid — Report 2015–16
- Victoria Police — Report 2015–16
- Victoria State Emergency Service Authority — Report 2015–16
- Victorian Commission for Gambling and Liquor Regulation — Report 2015–16
- Victorian Equal Opportunity and Human Rights Commission — Report 2015–16 — Ordered to be published
- Victorian Inquiry into the Labour Hire Industry and Insecure Work — Ordered to be published
- Victorian Legal Services Board and Victorian Legal Services Commissioner — Report 2015–16 — Ordered to be published
- Victorian Public Sector Commission — Report 2015–16
- Victorian Responsible Gambling Foundation — Report 2015–16
- Youth Parole Board — Report 2015–16.
- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 8 November 2016 (*Ms Allan*) — put and agreed to.
- 7 **STATEMENTS BY MEMBERS** — Statements by members were made.

8 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.

9 **MEDICAL TREATMENT PLANNING AND DECISIONS BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this bill be withdrawn and redrafted to ensure there are adequate safeguards and clear and effective procedures in relation to the making and implementation of advance care directives and the appointment of and decision making by medical treatment decision makers'; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

12 **MEDICAL TREATMENT PLANNING AND DECISIONS BILL 2016** — Resumption of debate on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Mr Edbrooke*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

13 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to — (1) take into account further consultation about the proposed amendments to the *Planning and Environment Act 1987* in relation to the growth areas infrastructure contribution; and (2) retain the remaining provisions of the bill'; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Kilkenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

14 **SENTENCING (COMMUNITY CORRECTION ORDER) AND OTHER ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 78

Ms Allan; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Mrs Fyffe; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson (*Mordialloc*); Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Bill considered in detail (*see p 450*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 25 October 2016 had expired.

Question — That clause 4 stand part of the Bill — put and agreed to.

Question — That clauses 5 to 26 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **MEDICAL TREATMENT PLANNING AND DECISIONS BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this bill be withdrawn and redrafted to ensure there are adequate safeguards and clear and effective procedures in relation to the making and implementation of advance care directives and the appointment of and decision making by medical treatment decision makers'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Ward; Ms Williams; Mr Wynne.

NOES 31

Mr Angus; Ms Asher; Mr Blackwood; Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 4 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to — (1) take into account further consultation about the proposed amendments to the *Planning and Environment Act 1987* in relation to the growth areas infrastructure contribution; and (2) retain the remaining provisions of the bill'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Ward; Ms Williams; Mr Wynne.

NOES 33

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 44

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Ward; Ms Williams; Mr Wynne.

NOES 33

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **TRANSPORT (COMPLIANCE AND MISCELLANEOUS) AMENDMENT (ABOLITION OF THE PENALTY FARES SCHEME) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **ALPINE RESORTS LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.17 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.52 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 96, 97 and 98

No 98 — Thursday 27 October 2016

SENTENCING (COMMUNITY CORRECTION ORDER) AND OTHER ACTS AMENDMENT BILL 2016
Clauses 1 to 3 agreed to.

Clause 4 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 25 October 2016 had expired (for remaining stages see pp 446–7).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 99, 100 and 101

No 99 — Tuesday 8 November 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **CREATIVE VICTORIA BILL 2016** — Mr Foley obtained leave to bring in a Bill '*for an Act to establish the office of the Chief Executive, Creative Victoria, to repeal the Arts Victoria Act 1972 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **HERITAGE BILL 2016** — Mr Wynne obtained leave to bring in a Bill '*for an Act to re-enact with amendments the Heritage Act 1995 to provide for the protection and conservation of places and objects of cultural heritage significance, to establish a Victorian Heritage Register and a Heritage Inventory, to establish a Heritage Council, to create offences and other enforcement measures to protect and conserve cultural heritage and to establish a Heritage Fund and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2016** — Ms Allan obtained leave to bring in a Bill '*for an Act to amend the Owner Drivers and Forestry Contractors Act 2005 in relation to certain industry councils and their membership and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **SMALL BUSINESS COMMISSION BILL 2016** — Ms Allan obtained leave to bring in a Bill '*for an Act to repeal the Small Business Commissioner Act 2003 and to re-enact the law in relation to the Small Business Commission with amendments, to establish the Small Business Commission so as to enhance a competitive and fair operating environment for small business in Victoria and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
 - Domestic Animals Act 1994** — Requesting that the Legislative Assembly does not support the proposed amendments to the *Domestic Animals Act 1994* and instead refers the bill to a parliamentary committee for review so that an evidence based approach to issues around animal welfare and the pet industry can be achieved, bearing 250 signatures (*Mr Burgess*)
 - Pearcedale Primary School** — Requesting that the Legislative Assembly calls on VicRoads to install permanent 40km/h electronic school speed limit signs at Pearcedale Primary School on Baxter-Tooradin Road, Pearcedale, bearing 403 signatures (*Mr Burgess*).

Petitions ordered to be tabled.

9 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 15 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Legislation Further Amendment Bill 2016
 Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016
 Family Violence Reform Implementation Monitor Bill 2016
 Housing Amendment (Victorian Housing Register and Other Matters) Bill 2016
 Road Legislation Further Amendment Bill 2016
 Sentencing (Community Correction Order) and Other Acts Amendment Bill 2016
 Working with Children Amendment Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

CenITex — Report 2015–16

Coronial Council of Victoria — Report 2015–16

Court Services Victoria — Report 2015–16

Game Management Authority — Report 2015–16

Judicial College of Victoria — Report 2015–16

Parliamentary Committees Act 2003 — Government response to the Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Cardinia — C188
 Casey — C222
 Colac Otway — C93
 Greater Shepparton — C177
 Melbourne — C299
 Mornington Peninsula — C161
 Moyne — C60
 Port Phillip — C127
 Southern Grampians — C50
 Stonnington — C244
 Victoria Planning Provisions — V9
 Warrnambool — C83
 Yarra — C197 Part 1

Professional Standards Council — Report 2015–16 (two documents)

Public Prosecutions, Office of — Report 2015–16

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 123, 127, 132, 133

Documents under s 16B in relation to the *Education and Training Reform Act 2006*:

Ministerial Order 948 — Amendments to Ministerial Orders 55 and 382 on Structured Workplace Learning and Work Experience Arrangements

Ministerial Order 949 — Amendments to Ministerial Orders 723 and 724 on Structured Workplace Learning and Work Experience Arrangements

Victorian Civil and Administrative Tribunal — Report 2015–16

Victorian Institute of Forensic Medicine — Report 2015–16 (two documents)

Victorian Law Reform Commission — Report 2015–16 — Ordered to be published.

The following proclamation fixing operative dates was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Act 2016 — Division 1 of Part 8 — 31 October 2016; remaining provisions — 1 November 2016 (*Gazette S325, 25 October 2016*).

- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Land (Revocation of Reservations — Regional Victoria Land) Bill 2016

Melbourne College of Divinity Amendment Bill 2016.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Powers of Attorney Amendment Bill 2016 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Victorian Fisheries Authority Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 2 November 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Corrections Legislation Amendment Bill 2016

Estate Agents Amendment (Underquoting) Bill 2016

Land (Revocation of Reservations — Regional Victoria Land) Bill 2016

Legal Profession Uniform Law Application Amendment Bill 2016

Melbourne College of Divinity Amendment Bill 2016.

- 14 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Family Violence Reform Implementation Monitor Bill 2016

Road Legislation Further Amendment Bill 2016.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 10 November 2016:

Compensation Legislation Amendment Bill 2016

Housing Amendment (Victorian Housing Register and Other Matters) Bill 2016

Road Legislation Further Amendment Bill 2016

Transport Integration Amendment (Head, Transport for Victoria and Other Governance Reforms) Bill 2016

Working with Children Amendment Bill 2016

(*Ms Allan*) — put, after debate, and agreed to.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 17 **POWERS OF ATTORNEY AMENDMENT BILL 2016** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 18 **VICTORIAN FISHERIES AUTHORITY BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **COMPENSATION LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Scott announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **TRANSPORT INTEGRATION AMENDMENT (HEAD, TRANSPORT FOR VICTORIA AND OTHER GOVERNANCE REFORMS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

No 100 — Wednesday 9 November 2016

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Ormond Railway Station — Requesting that the Legislative Assembly calls on the Government to abandon plans for the development of a 13 storey residential tower on North Road above Ormond railway station and instead proceed with a smaller development that is more in keeping with the existing low-rise village in Ormond, bearing 224 signatures (*Mr Southwick*)

Equal Opportunity Amendment (Religious Exceptions) Bill 2016 — Requesting that the Legislative Assembly calls on the Government to withdraw the Equal Opportunity Amendment (Religious Exceptions) Bill 2016, bearing 62 signatures (*Mrs Fyffe*)

Domestic Animals Act 1994 — Requesting that the Legislative Assembly does not support the proposed amendments to the *Domestic Animals Act 1994* and instead refers the bill to a parliamentary committee for review so that an evidence based approach to issues around animal welfare and the pet industry can be achieved, bearing 928 signatures (*Mr Burgess*)

Synthetic Drugs — Requesting that the Legislative Assembly calls on the Government to put in place legislation that prohibits the supply and sale of synthetic drugs such as Kronik and other chemical variations and makes vendors and manufacturers liable for any harm arising from using such products, bearing 224 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

3 **PETITION — DOMESTIC ANIMALS ACT 1994** — Motion made and question — That the petition presented by the Member for Hastings on Tuesday 8 November 2016 be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

4 **PETITION — PEARCEDALE PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Hastings on Tuesday 8 November 2016 be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

5 **PETITION — DOMESTIC ANIMALS ACT 1994** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

6 **PETITION — ORMOND RAILWAY STATION** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

7 **PETITION — EQUAL OPPORTUNITY AMENDMENT (RELIGIOUS EXCEPTIONS) BILL 2016** — Motion made and question — That the petition presented by the Member for Evelyn be taken into consideration tomorrow (*Mrs Fyffe*) — put and agreed to.

8 **PETITION — SYNTHETIC DRUGS** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

9 **DOCUMENTS**

VICTORIAN GOVERNMENT ABORIGINAL AFFAIRS REPORT 2016 — Tabled by leave (*Ms Hutchins*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Financial Systems Controls Report: 2015–16 — Ordered to be published
Security of Critical Infrastructure Control Systems for Trains — Ordered to be published

Judicial Entitlements Panel — Own Motion Recommendations to the Attorney-General

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the Inquiry into the 2013–14 and 2014–15 Financial and Performance Outcomes

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 131.

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Traditional Owner Settlement Amendment Bill 2016 without amendment.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates.

13 **CREATIVE VICTORIA BILL 2016** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 November 2016.

14 **HERITAGE BILL 2016** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 November 2016.

15 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2016** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 November 2016.

- 16 **SMALL BUSINESS COMMISSION BILL 2016** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Burgess*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 November 2016.

- 17 **WORKING WITH CHILDREN AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 18 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 19 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 20 **WORKING WITH CHILDREN AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 21 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — EFFECTS OF HAZELWOOD CLOSURE** — The House was informed that Mr Guy had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House:

- (1) notes under the Andrews Labor Government:
 - (a) the Premier finally got his way with his ideologically driven plan to close Hazelwood regardless of the loss of jobs and the extra cost to Victorian energy consumers;
 - (b) the Lignite Royalty Levy in the 2016–17 Victorian State Budget was tripled to rip out an additional \$252 million from the Latrobe Valley, pushing power prices up and placing additional pressure on power generators including Hazelwood; and
 - (c) unemployment in Latrobe has risen from 7.3 per cent in December 2014 to 10.7 per cent in June 2016 and has risen in Morwell from 13 per cent in December 2014 to 19.7 per cent in June 2016;
- (2) condemns the Andrews Labor Government for its reckless policies to close the Hazelwood Power Station, sacrificing Victorian jobs and affordable, reliable and secure electricity, for the sake of grabbing Green votes in inner-city Melbourne seats.'

Mr Guy addressed the House — Discussion followed.

- 22 **WORKING WITH CHILDREN AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **HOUSING AMENDMENT (VICTORIAN HOUSING REGISTER AND OTHER MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.30 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 101 — Thursday 10 November 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Audit Act 1994 — Performance Audit of the Victorian Auditor-General and the Victorian Auditor-General's Office, November 2016

Australian Health Practitioner Regulation Agency — Report 2015–16

Financial Management Act 1994:

2016–17 Quarterly Financial Report for the State of Victoria for the period ended 30 September 2016
Report from the Minister for Agriculture that she had received the Report 2015–16 of the Greater Sunraysia Pest Free Area Industry Development Committee, together with an explanation for the delay

Health Practitioner National Law (Victoria) Act 2009 — Report 2015–16 of the National Health Practitioner Ombudsman and Privacy Commissioner

Independent Broad-based Anti-corruption Commission — Operation Ross: An investigation into police conduct in the Ballarat Police Service Area — Ordered to be published.

- 3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 22 November 2016 (*Ms Allan*) — put and agreed to.

- 4 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 5 **HOUSING AMENDMENT (VICTORIAN HOUSING REGISTER AND OTHER MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

6 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

7 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

8 **HOUSING AMENDMENT (VICTORIAN HOUSING REGISTER AND OTHER MATTERS) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

9 **ROAD LEGISLATION FURTHER AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time, considered in detail and agreed to without amendment, read a third time (*see p 461*).

Bill sent to the Legislative Council and their agreement requested.

10 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 3 to 5 inclusive, be postponed until later this day.

11 **TRANSPORT INTEGRATION AMENDMENT (HEAD, TRANSPORT FOR VICTORIA AND OTHER GOVERNANCE REFORMS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 461*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 November 2016 had expired.

Question — That clause 15 stand part of the Bill — put and agreed to.

Question — That clauses 16 to 52 inclusive and the Schedule stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

12 **COMPENSATION LEGISLATION AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 17 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

13 **HOUSING AMENDMENT (VICTORIAN HOUSING REGISTER AND OTHER MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **WORKING WITH CHILDREN AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.03 pm under sessional orders.

- 15 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.26 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 99, 100 and 101

No 101 — Thursday 10 November 2016

ROAD LEGISLATION FURTHER AMENDMENT BILL 2016

Clauses 1 to 38 agreed to.

Clause 39, Question — That clause 39 stand part of the Bill — put.

The House divided (the Deputy Speaker, Mr Nardella, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Ms Edwards; Mr Foley; Ms Grale; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Clause agreed to.

Clauses 40 to 53 agreed to.

Bill agreed to without amendment.

TRANSPORT INTEGRATION AMENDMENT (HEAD, TRANSPORT FOR VICTORIA AND OTHER GOVERNANCE REFORMS) BILL 2016

Clauses 1 to 14 agreed to.

Clause 15 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 November 2016 had expired (for remaining stages see p 459).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 102, 103 and 104

No 102 — Tuesday 22 November 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **WRONGS AMENDMENT (ORGANISATIONAL CHILD ABUSE) BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Wrongs Act 1958** to impose a duty of care that forms part of a cause of action in negligence on organisations exercising care, supervision or authority over children to prevent the physical abuse or sexual abuse of those children committed by individuals associated with those organisations, to make consequential amendments to the **Victoria Police Act 2013** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **ADMINISTRATION AND PROBATE AND OTHER ACTS AMENDMENT (SUCCESSION AND RELATED MATTERS) BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Administration and Probate Act 1958** in relation to intestacy and other matters relating to the administration of estates, including fees and commissions, to amend that Act, the **Guardianship and Administration Act 1986** and the **Powers of Attorney Act 2014** in relation to ademption, to consequentially amend other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **CONSUMER ACTS AMENDMENT BILL 2016** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the **Associations Incorporation Reform Act 2012**, the **Conveyancers Act 2006**, the **Motor Car Traders Act 1986**, the **Sale of Land Act 1962**, the **Second-Hand Dealers and Pawnbrokers Act 1989** and the **Veterans Act 2005** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **RESOURCES LEGISLATION AMENDMENT (FRACKING BAN) BILL 2016** — Mr Noonan obtained leave to bring in a Bill '*for an Act to amend the **Mineral Resources (Sustainable Development) Act 1990** and the **Petroleum Act 1998** to prevent the exploration and mining of coal seam gas, to ban hydraulic fracturing and to impose a moratorium on petroleum exploration and production in onshore areas of Victoria, to enable the Minister to pay for the surrender of licences, leases and permits, to make consequential amendments to the **Resources Legislation Amendment (BTEX Prohibition and Other Matters) Act 2014** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **CLIMATE CHANGE BILL 2016** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to repeal and re-enact with amendments the **Climate Change Act 2010**, to establish greenhouse gas emissions reduction targets for Victoria, to set out policy objectives and guiding principles, to provide for climate change planning and reporting, to provide for forestry rights and carbon sequestration rights and to make consequential amendments to the **Environment Protection Act 1970** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **URBAN RENEWAL AUTHORITY VICTORIA AMENDMENT (DEVELOPMENT VICTORIA) BILL 2016** — Ms Allan obtained leave to bring in a Bill '*for an Act to amend the **Urban Renewal Authority Victoria Act 2003** to abolish the Urban Renewal Authority Victoria, to establish Development*

*Victoria as its successor in law, to set out a process for the transfer of certain nominated projects under the **Project Development and Construction Management Act 1994** to Development Victoria for it to develop or manage the development of the projects, to consequentially amend other Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.*

10 DOCUMENTS

PRIVILEGES COMMITTEE — Ms Neville, Chair, presented a report from the Privileges Committee on the right of reply from Mrs Karina Okotel, a person referred to in the Legislative Assembly, together with an appendix and an extract from the proceedings.

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 16 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Creative Victoria Bill 2016
Heritage Bill 2016
Owner Drivers and Forestry Contractors Amendment Bill 2016
Small Business Commission Bill 2016
Working with Children Amendment Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Report on the Annual Financial Report of the State of Victoria, 2015–16 — Ordered to be published

Coroners Court of Victoria — Report 2015–16

Crimes (Controlled Operations) Act 2004 — Reports 2015–16 of the Victorian Inspectorate under s 39 (two documents)

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:
Beaches between Warrnambool and Port Fairy
Flagstaff Gardens
Lynch's Bridge Historical Precinct Reserve
Order under s 17D granting a lease over Mordialloc-Mentone Beach Park

Fisheries Act 1995 — Report 2015–16 of the Victorian Inspectorate under s 131T

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return November 2016 and Summary of Variations Notified between 2 September 2016 and 18 November 2016 — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Brimbank — C185
 Campaspe — C105
 Cardinia — C213
 Greater Geelong — C337
 Macedon Ranges — C103
 Maribyrnong — C108
 Mildura — C96
 Mornington Peninsula — C191
 Mount Alexander — C79
 Whittlesea — C68, C201

Victorian Law Reform Commission — *The Role of Victims of Crime in the Criminal Trial Process* — Ordered to be published

Victoria's Mental Health Services — Report 2015–16

Wildlife Act 1975 — Reports 2015–16 of the Victorian Inspectorate under s 74P (two documents).

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Victorian Funds Management Corporation Amendment Act 2016 — Whole Act — 1 January 2017 (*Gazette S346, 15 November 2016*).

11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Alpine Resorts Legislation Amendment Bill 2016
 Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Bill 2016
 Sentencing (Community Correction Order) and Other Acts Amendment Bill 2016
 State Taxation Acts Further Amendment Bill 2016.

12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 15 November 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Alpine Resorts Legislation Amendment Bill 2016
 Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Bill 2016
 Powers of Attorney Amendment Bill 2016
 Sentencing (Community Correction Order) and Other Acts Amendment Bill 2016
 State Taxation Acts Further Amendment Bill 2016
 Traditional Owner Settlement Amendment Bill 2016
 Victorian Fisheries Authority Bill 2016.

13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Creative Victoria Bill 2016
 Heritage Bill 2016
 Small Business Commission Bill 2016.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 24 November 2016:

Crimes Legislation Further Amendment Bill 2016
 Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016
 Family Violence Reform Implementation Monitor Bill 2016
 Heritage Bill 2016
 Small Business Commission Bill 2016

(*Ms Allan*) — put, after debate, and agreed to.

- 15 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 16 **FAMILY VIOLENCE REFORM IMPLEMENTATION MONITOR BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **CRIMES LEGISLATION FURTHER AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.20 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 103 — Wednesday 23 November 2016

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Safe Schools Program Content** — Requesting that the Legislative Assembly calls on the Government to replace the Safe Schools program with a program that deals with the issue of bullying but is not committed to gender theory, bearing 78 signatures (*Mr Perera*)
- Myki Retailer** — Requesting that the Legislative Assembly calls on Public Transport Victoria to accept Chapel Convenience Store's request to become a myki retailer, bearing 596 signatures (*Mr Hibbins*).
- Petitions ordered to be tabled.
- 3 **PETITION — MYKI RETAILER** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Portfolio Departments and Associated Entities: 2015–16 Audit Snapshot — Ordered to be published

Water Entities: 2015–16 Audit Snapshot — Ordered to be published

Parliamentary Committees Act 2003:

Government response to the Economic, Education, Jobs and Skills Committee's Report on the Inquiry into portability of long service leave entitlements

Government response to the Family and Community Development Committee's Report on the Inquiry into Abuse in Disability Services

Planning and Environment Act 1987 — Notice of approval of amendments to the following Planning Schemes:

Melbourne — GC50

Port Phillip — GC50

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR 134

Magistrates' Court Act 1989 — SR 135

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 134, 135.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Medical Treatment Planning and Decisions Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the Inquiry into the Impact on Victorian Government Service Delivery of Changes to National Partnerships Agreements

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates.

- 8 **WRONGS AMENDMENT (ORGANISATIONAL CHILD ABUSE) BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 7 December 2016.

- 9 **ADMINISTRATION AND PROBATE AND OTHER ACTS AMENDMENT (SUCCESSION AND RELATED MATTERS) BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 7 December 2016.

- 10 **CONSUMER ACTS AMENDMENT BILL 2016** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Northe*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 7 December 2016.

- 11 **RESOURCES LEGISLATION AMENDMENT (FRACKING BAN) BILL 2016** — *Mr Noonan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Noonan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 7 December 2016.

- 12 **CLIMATE CHANGE BILL 2016** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 7 December 2016.

- 13 **URBAN RENEWAL AUTHORITY VICTORIA AMENDMENT (DEVELOPMENT VICTORIA) BILL 2016** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 7 December 2016.

- 14 **ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND IMPROVING SAFETY AND MARKETS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 15 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 16 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 17 **ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND IMPROVING SAFETY AND MARKETS) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 18 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 19 **ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND IMPROVING SAFETY AND MARKETS) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **MEDICAL TREATMENT PLANNING AND DECISIONS BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question proposed — That the amendments be agreed to (*Ms Hennessy*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **HERITAGE BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

No 104 — Thursday 24 November 2016

1 The Speaker took the Chair and read the Prayer.

2 DOCUMENTS

HAZELWOOD MINE FIRE INQUIRY IMPLEMENTATION REPORT 2016 — Tabled by leave (*Mr Merlino*).

Ordered to be published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the 2016–17 Budget Estimates, together with appendices, an extract from the proceedings, minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract from the proceedings and minority report published.

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on the performance of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate 2015–16, together with a transcript of evidence.

Ordered to be tabled and the report published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Local Government: 2015–16 Audit Snapshot — Ordered to be published

Public Hospitals: 2015–16 Audit Snapshot — Ordered to be published

Legal Services Council and Commissioner for Uniform Legal Services Regulation — Reports 2015–16

Parliamentary Committees Act 2003 — Government response to the Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the CFA Training College at Fiskville

Port of Melbourne Corporation — Report 2015–16, together with an explanation for the delay.

3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 6 December 2016 (*Ms Allan*) — put and agreed to.

4 **STATEMENTS BY MEMBERS** — Statements by members were made.

5 **MEDICAL TREATMENT PLANNING AND DECISIONS BILL 2016** — Order read for resuming debate on question — That the amendments made by the Legislative Council be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

6 **HERITAGE BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

7 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

8 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

9 **HERITAGE BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

10 **SMALL BUSINESS COMMISSION BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transport (Compliance and Miscellaneous) Amendment (Abolition of the Penalty Fares Scheme) Bill 2016 without amendment.

12 **ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND IMPROVING SAFETY AND MARKETS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 473*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 22 November 2016 had expired.

Question — That clause 5 stand part of the Bill — put and agreed to.

Question — That clauses 6 to 23 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **FAMILY VIOLENCE REFORM IMPLEMENTATION MONITOR BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 14 **CRIMES LEGISLATION FURTHER AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- 15 **SMALL BUSINESS COMMISSION BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.
- Question — That this Bill be now read a second time and a third time — put and agreed to.
- Bill sent to the Legislative Council and their agreement requested.
- Business having been interrupted at 5.07 pm under sessional orders.*
- 16 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.35 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

CONSIDERATION IN DETAIL
Supplement to Votes Nos 102, 103 and 104

No 104 — Thursday 24 November 2016

ENERGY LEGISLATION AMENDMENT (FEED-IN TARIFFS AND IMPROVING SAFETY AND MARKETS) BILL 2016

Clauses 1 to 4 agreed to.

Clause 5 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 22 November 2016 had expired (for remaining stages see p 471).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 105, 106 and 107

No 105 — Tuesday 6 December 2016

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Crimes (Mental Impairment and Unfitness to be Tried) Act 1997** to implement recommendations of the Victorian Law Reform Commission arising out of its review of that Act, to amend that Act and the **Mental Health Act 2014** to transfer functions of the Forensic Leave Panel to the Mental Health Tribunal, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **VICTORIAN PLANNING AUTHORITY BILL 2016** — Mr Wynne obtained leave to bring in a Bill '*for an Act to establish the Victorian Planning Authority, to amend the **Planning and Environment Act 1987** to abolish the Growth Areas Authority, to make consequential and other amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **BUILDING AMENDMENT (ENFORCEMENT AND OTHER MEASURES) BILL 2016** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Building Act 1993** to improve the enforcement of that Act, to provide for the further regulation of building practitioners and to reform the building permit process and to amend the **Domestic Building Contracts Act 1995** to further regulate entry into domestic building contracts, to make consequential and other miscellaneous amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **CHILDREN LEGISLATION AMENDMENT (REPORTABLE CONDUCT) BILL 2016** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the **Child Wellbeing and Safety Act 2005** to establish a reportable conduct scheme, to make consequential and other amendments to the **Commission for Children and Young People Act 2012**, the **Working with Children Act 2005**, the **Education and Training Reform Act 2006**, the **Children, Youth and Families Act 2005**, the **Disability Act 2006** and the **Ombudsman Act 1973** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **JUSTICE LEGISLATION AMENDMENT (PAROLE REFORM AND OTHER MATTERS) BILL 2016** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the **Corrections Act 1986** to provide for a presumption against parole for prisoners serving terms of imprisonment for certain fatal offences where the victim is a police officer or where the body or remains of the victim have not been located and to amend the **Sentencing Act 1991** to permit a court to take such factors into account in such circumstances and for other purposes*'; and the Bill was read a first time and, under SO 61(2), ordered to be read a second time immediately.

- 9 **JUSTICE LEGISLATION AMENDMENT (PAROLE REFORM AND OTHER MATTERS) BILL 2016** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 10 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Equal Opportunity Amendment (Religious Exceptions) Bill 2016 — Requesting that the Legislative Assembly calls on the Government to withdraw the Equal Opportunity Amendment (Religious Exceptions) Bill 2016, bearing 37 signatures (*Mrs Fyffe*)

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government not to give control of the Country Fire Authority to the United Firefighters Union, bearing 43 signatures (*Mr O'Brien, Gippsland South*)

South Valley Road School Crossing — Requesting that the Legislative Assembly calls on the Government to support the installation of a signalised school crossing on South Valley Road, near Kennedy Grove in Highton, bearing 470 signatures (*Mr Katos*).

Petitions ordered to be tabled.

- 11 **PETITION — SOUTH VALLEY ROAD SCHOOL CROSSING** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

- 12 **DOCUMENTS**

ACCOUNTABILITY AND OVERSIGHT COMMITTEE — Mr Angus, Chair, presented a report from the Accountability and Oversight Committee on Victorian Oversight Agencies 2015–16.

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 17 of 2016 from the Scrutiny of Acts and Regulations Committee on the:

Administration and Probate and Other Acts Amendment (Succession and Related Matters) Bill 2016
 Climate Change Bill 2016
 Consumer Acts Amendment Bill 2016
 Heritage Bill 2016
 Resources Legislation Amendment (Fracking Ban) Bill 2016
 Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016
 Wrongs Amendment (Organisational Child Abuse) Bill 2016

together with appendices.

Ordered to be tabled and published.

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on the performance of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate 2015–16 (*in lieu of report tabled on Thursday 24 November 2016*).

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

National Environment Protection Council — Report 2014–15

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bayside — C124
 Greater Geelong — C316
 Knox — C137
 Melbourne — C259, C270, GC59
 Melton — C145
 Mildura — C89
 Monash — C128
 Port Phillip — GC59
 South Gippsland — C81
 Whittlesea — C205
 Victoria Planning Provisions — VC131

Statutory Rules under the following Acts:

Confiscation Act 1997 — SR 141
Environment Protection Act 1970 — SR 136
Magistrates' Court Act 1989 — SR 137
Supreme Court Act 1986 — SRs 138, 139, 140, 141

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 136, 137, 138, 139, 140, 141

Victorian Environmental Assessment Council Act 2001 — Notice of request for an assessment under s 26C.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Police and Justice Legislation Amendment (Miscellaneous) Act 2016 — Parts 2 and 3 (except s 23) — 1 December 2016 (*Gazette S368, 29 November 2016*)
Primary Industries Legislation Amendment Act 2016 — Parts 4 and 7 (except ss 22 and 24) — 1 December 2016; Part 8 — 1 January 2017 (*Gazette S368, 29 November 2016*)
Livestock Disease Control Amendment Act 2016 — Part 1 and ss 3, 5, 11 and 12 — 1 January 2017 (*Gazette S368, 29 November 2016*).

13 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Road Legislation Further Amendment Bill 2016
 Working with Children Amendment Bill 2016.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Compensation Legislation Amendment Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 15 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 29 November 2016, given the royal assent to the following bills, presented to her by the Deputy Clerk of the Legislative Assembly for and in the absence of the Clerk of the Parliaments:

Medical Treatment Planning and Decisions Bill 2016

Road Legislation Further Amendment Bill 2016

Transport (Compliance and Miscellaneous) Amendment (Abolition of the Penalty Fares Scheme) Bill 2016

Working with Children Amendment Bill 2016.

- 16 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Climate Change Bill 2016

Consumer Acts Amendment Bill 2016

Resources Legislation Amendment (Fracking Ban) Bill 2016

Wrongs Amendment (Organisational Child Abuse) Bill 2016.

- 17 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended to allow the matter of public importance due on Wednesday 7 December 2016 to be omitted from the order of business on that day (*Ms Allan*) — put and agreed to.

- 18 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 8 December 2016:

Climate Change Bill 2016

Creative Victoria Bill 2016

Owner Drivers and Forestry Contractors Amendment Bill 2016

Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016

Wrongs Amendment (Organisational Child Abuse) Bill 2016

(*Ms Allan*) — put, after debate, and agreed to.

- 19 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 20 **COMPENSATION LEGISLATION AMENDMENT BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 21 **CREATIVE VICTORIA BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Rejecting the Equal Opportunity Amendment (Religious Exceptions) Bill 2016.

- 24 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2016–17 budget papers; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 106 — Wednesday 7 December 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **COUNTRY FIRE AUTHORITY AMENDMENT (PROTECTING VOLUNTEER FIREFIGHTERS) BILL 2016** — Motion made and question — That Mr Battin have leave to bring in a Bill 'for an Act to amend the *Country Fire Authority Act 1958* to ensure the protection of volunteer firefighters and for other purposes' — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 36

Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Boronia West Primary School — Requesting that the Legislative Assembly calls on the Government to treat the white ant problem, remove the asbestos and provide a full upgrade to Boronia West Primary School before the commencement of the 2017 school year, bearing 162 signatures (*Ms Victoria*)

Newstead Primary School — Requesting that the Legislative Assembly calls on the Government to fund a facilities upgrade at Newstead Primary School, bearing 772 signatures (*Ms Edwards*)

Upper Yarra Valley — Requesting that the Legislative Assembly calls on the Government to remove the Upper Yarra Valley from the Yellingbo Conservation Area, reverting to the 2011 boundary ending at Woori Yallock, bearing 1143 signatures (*Ms McLeish*)

Additional Police in Knox — Requesting that the Legislative Assembly calls on the Government to provide additional police to the Knox area, bearing 601 signatures (*Mr Wakeling*)

Equal Opportunity Amendment (Religious Exceptions) Bill 2016 — Requesting that the Legislative Assembly calls on the Government to withdraw the Equal Opportunity Amendment (Religious Exceptions) Bill 2016, bearing 1024 signatures (*Mr Wakeling*)

Pakenham Town Centre Bus Service — Requesting that the Legislative Assembly calls on the Government to provide a regular bus service from Toomuc Valley Road, Pakenham to the Pakenham town centre, bearing 347 signatures (*Mr Battin*)

Domestic Animals Act 1994 — Requesting that the Legislative Assembly does not support the proposed amendments to the *Domestic Animals Act 1994* and instead refers the bill to a parliamentary committee for review so that an evidence based approach to issues around animal welfare and the pet industry can be achieved, bearing 50 signatures (*Mr Burgess*)

Mining in East Gippsland — Requesting that the Legislative Assembly calls on the Government to require Environment Effects Statements from bodies seeking to conduct mining in East Gippsland, bearing 1760 signatures (*Ms Sandell*)

Anti-bullying Program — Requesting that the Legislative Assembly calls on the Government to remove the Safe Schools program and replace it with an anti-bullying program that is supported by school communities and parents, bearing 157 signatures (*Mr Northe*)

Traralgon Bus Route 45 — Requesting that the Legislative Assembly calls on the Government to extend Traralgon bus route 45 to improve access to the businesses in the Traralgon East precinct for all residents, bearing 175 signatures (*Mr Northe*)

Baw Baw Shire Council — Requesting that the Legislative Assembly calls on the Government to appoint an administrator to the Baw Baw Shire Council to restore basic services and ensure public funds are being used correctly, bearing 221 signatures (*Mr Blackwood*)

Ryan's Reserve Rezoning — Requesting that the Legislative Assembly calls on the Government not to rezone Ryan's Reserve at 510 Swan Street, Richmond and retain it as a recreational facility, bearing 714 signatures (*Mr Hibbins*).

Petitions ordered to be tabled.

- 4 **PETITION — RYAN'S RESERVE REZONING** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

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- 5 **PETITION — MINING IN EAST GIPPSLAND** — Motion made and question — That the petition presented by the Member for Melbourne be taken into consideration tomorrow (*Ms Sandell*) — put and agreed to.
- 6 **PETITION — ADDITIONAL POLICE IN KNOX** — Motion made and question — That the petition presented by the Member for Ferntree Gully be taken into consideration tomorrow (*Mr Wakeling*) — put and agreed to.
- 7 **PETITION — EQUAL OPPORTUNITY AMENDMENT (RELIGIOUS EXCEPTIONS) BILL 2016** — Motion made and question — That the petition presented by the Member for Ferntree Gully be taken into consideration tomorrow (*Mr Wakeling*) — put and agreed to.
- 8 **PETITION — BORONIA WEST PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.
- 9 **PETITION — UPPER YARRA VALLEY** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 10 **PETITION — DOMESTIC ANIMALS ACT 1994** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 11 **PETITION — NEWSTEAD PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Bendigo West be taken into consideration tomorrow (*Ms Edwards*) — put and agreed to.
- 12 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 13 **PETITION — TRARALGON BUS ROUTE 45** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 14 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:
- Access to Public Dental Services in Victoria — Ordered to be published
Managing the Performance of Rail Franchisees — Ordered to be published
- Commission for Children and Young People — Neither seen nor heard: Inquiry into issues of family violence in child deaths — Ordered to be published
- Crown Land (Reserves) Act 1978* — Order under s 17B granting a licence over Treasury Gardens
- Parliamentary Committees Act 2003* — Government response to the Public Accounts and Estimates Committee's Report on the Inquiry into the Impact on Victorian Government Service Delivery of Changes to National Partnership Agreements.
- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Rejecting the Births, Deaths and Marriages Registration Amendment Bill 2016.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 17 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Family and Community Development Committee's Final Report on the Inquiry into Abuse in Disability Services
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates
- Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville
- Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2015–16.
- 18 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).
- The second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 21 December 2016.
- 19 **VICTORIAN PLANNING AUTHORITY BILL 2016** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).
- The second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 21 December 2016.
- 20 **BUILDING AMENDMENT (ENFORCEMENT AND OTHER MEASURES) BILL 2016** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).
- The second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 21 December 2016.
- 21 **CHILDREN LEGISLATION AMENDMENT (REPORTABLE CONDUCT) BILL 2016** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 December 2016.

- 22 **JUSTICE LEGISLATION AMENDMENT (PAROLE REFORM AND OTHER MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 23 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 24 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 25 **JUSTICE LEGISLATION AMENDMENT (PAROLE REFORM AND OTHER MATTERS) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 81

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Brooks; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

By leave, Bill immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 26 **WRONGS AMENDMENT (ORGANISATIONAL CHILD ABUSE) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 27 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 7 be postponed until later this day.

- 28 **URBAN RENEWAL AUTHORITY VICTORIA AMENDMENT (DEVELOPMENT VICTORIA) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 29 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.19 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 107 — Thursday 8 December 2016

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Ormond Railway Station — Requesting that the Legislative Assembly calls on the Government to abandon plans for the development of a 13 storey residential tower on North Road above Ormond railway station and instead proceed with a smaller development that is more in keeping with the existing low-rise village in Ormond, bearing 374 signatures (*Mr Southwick*)

Street Lighting in Carrington Grove, East St Kilda — Requesting that the Legislative Assembly calls on the Government to work with the Glen Eira Council and other relevant stakeholders to improve the level of street lighting in Carrington Grove, East St Kilda, bearing 60 signatures (*Mr Southwick*).

Petitions ordered to be tabled.

- 3 **PETITION — ORMOND RAILWAY STATION** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

- 4 **PETITION — STREET LIGHTING IN CARRINGTON GROVE, EAST ST KILDA** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

- 5 **PETITION — PAKENHAM TOWN CENTRE BUS SERVICE** — Motion made and question — That the petition presented by the Member for Gembrook on Wednesday 7 December 2016 be taken into consideration tomorrow (*Mr Battin*) — put and agreed to.

- 6 **DOCUMENTS**

GEELONG CITIZENS' JURY INTERIM REPORT — Tabled by leave (*Ms Allan*).

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

Supreme Court of Victoria — Report 2014–15

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Infrastructure Victoria — Victoria's 30-Year Infrastructure Strategy

National Health Funding Pool — Report 2015–16

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C183

Bayside — C129

Campaspe — C103

Colac Otway — GC57

Glen Eira — C145

Hepburn — GC57

Indigo — GC57

Macedon Ranges — C105, GC57

Manningham — GC57

Mitchell — C107

Moorabool — GC57

Mount Alexander — GC57

Murrindindi — GC57

Nillumbik — GC57

Surf Coast — C115, GC57

Yarra — C224

Yarra Ranges — GC57

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Education and Training Reform Act 2006* — Ministerial Order No 928 — Power of School Council to Grant a Licence in Relation to School Lands or Buildings.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 7 February 2017 (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **CLIMATE CHANGE BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

12 **CLIMATE CHANGE BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Crisp*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2016–17 budget papers — put, after debate, and agreed to.
- 14 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 3 be postponed until later this day.
- 15 **URBAN RENEWAL AUTHORITY VICTORIA AMENDMENT (DEVELOPMENT VICTORIA) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 488*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 December 2016 had expired.

Question — That clause 1 stand part of the Bill — put and agreed to.

Question — That clauses 2 to 39 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **CREATIVE VICTORIA BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **WRONGS AMENDMENT (ORGANISATIONAL CHILD ABUSE) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **CLIMATE CHANGE BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodggett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.13 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.42 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 105, 106 and 107

No 107 — Thursday 8 December 2016

URBAN RENEWAL AUTHORITY VICTORIA AMENDMENT (DEVELOPMENT VICTORIA) BILL 2016

Clause 1 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 December 2016 had expired (for remaining stages see p 486).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 108, 109 and 110

No 108 — Tuesday 7 February 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **BLACK SATURDAY BUSHFIRES ANNIVERSARY** — The Speaker reminded the House that today marks the eighth anniversary of the devastating 2009 bushfires, which affected communities across the State, and asked the House to take a moment to pause and think of those communities and the lives lost during those devastating fires. Members stood in silence to show their support.
- 3 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended today so as to immediately allow —
 - (1) The Premier to move a motion of condolence in relation to the Bourke Street tragedy, and the Leader of the Opposition, Deputy Premier, Leader of the Nationals, Lord Mayor, Member for Melbourne, a government member and then other members to speak on the motion;
 - (2) The Right Honourable Lord Mayor of Melbourne, Mr Robert Doyle, onto the floor of the House until the conclusion of his contribution; and
 - (3) At the conclusion of the motion, the House to adjourn until Wednesday 8 February 2017 —
(Ms Allan) — put and agreed to.
- 4 **VISITOR ADMITTED TO CHAMBER** — In accordance with the resolution of the House, The Right Honourable Lord Mayor of Melbourne, Mr Robert Doyle, was admitted into the Chamber by the Serjeant-at-Arms.
- 5 **BOURKE STREET TRAGEDY** — Motion made and question — That this House extends our thoughts, prayers, and support to the victims of the Bourke Street tragedy and their loved ones; expresses our gratitude to emergency service personnel for their unwavering professionalism; and pays tribute to the everyday Victorians who, in the face of unimaginable tragedy, showed the most remarkable courage and compassion (*Mr Andrews*) — and, after members and Mr Doyle had addressed the House in support of the motion —

The Right Honourable Lord Mayor of Melbourne, Mr Robert Doyle, having been escorted from the Chamber by the Serjeant-at-Arms —

Members addressed the House and, rising in their places to signify their assent, agreed to unanimously.
- 6 **ADJOURNMENT** — In accordance with the resolution of the House, as a further mark of respect to those affected by the Bourke Street tragedy, in particular the families of those who were killed, the House, at 2.52 pm, adjourned until tomorrow at 9.30 am.

No 109 — Wednesday 8 February 2017

- 1 The House met according to the adjournment — The Speaker took the Chair and read the Prayer.
- 2 **STATUTE LAW REVISION BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to revise the statute law of Victoria*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION CIVIL PENALTIES SCHEME) BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to amend the Electricity Safety Act 1998 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2017** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to amend the Fair Work (Commonwealth Powers) Act 2009 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Upper Yarra Secondary College** — Requesting that the Legislative Assembly calls on the Government to fund the major redevelopment of the Upper Yarra Secondary College in the 2017–18 State Budget, bearing 211 signatures (*Ms McLeish*)
- Anti-bullying Program** — Requesting that the Legislative Assembly calls on the Government to remove the Safe Schools program and replace it with an anti-bullying program that is supported by school communities and parents, bearing 54, 126 and 118 signatures (*Mr Wakeling, Mr Angus and Mr Walsh respectively*)
- Orchard Grove Primary School Funding** — Requesting that the Legislative Assembly provides adequate funding to Orchard Grove Primary School to modernise the school, and in particular to upgrade the administrative and staff facilities, including the toilet and first aid facilities for both staff and students, bearing 24 signatures (*Mr Angus*)
- Special Religious Instruction in Government Schools** — Requesting that the Legislative Assembly ensures the Government allows students at government schools to attend Special Religious Instruction during school hours, bearing 156 signatures (*Mr Angus*)
- Vermont Primary School Funding** — Requesting that the Legislative Assembly provides adequate funding to Vermont Primary School to rebuild its central administration and classroom wing, bearing 12 signatures (*Mr Angus*)
- East Gippsland Timber Workers** — Requesting that the Legislative Assembly calls on the Government to direct VicForests to immediately review timber resource allocations in order to secure jobs for East Gippsland timber workers, bearing 2691 signatures (*Mr Bull, Gippsland East*)
- Crime in Rural Communities** — Requesting that the Legislative Assembly calls on the Government to increase the police presence in rural communities, improve response times to 000 calls, ensure penalties for crimes are in line with community values and increase rehabilitation and support resources for drug users, bearing 1658 signatures (*Mr Walsh*).

Petitions ordered to be tabled.

- 6 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 7 **PETITION — CRIME IN RURAL COMMUNITIES** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 8 **PETITION — EAST GIPPSLAND TIMBER WORKERS** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 9 **PETITION — UPPER YARRA SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 10 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Ferntree Gully be taken into consideration tomorrow (*Mr Wakeling*) — put and agreed to.
- 11 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 12 **PETITION — ORCHARD GROVE PRIMARY SCHOOL FUNDING** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 13 **PETITION — SPECIAL RELIGIOUS INSTRUCTION IN GOVERNMENT SCHOOLS** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 14 **PETITION — VERMONT PRIMARY SCHOOL FUNDING** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 15 **DOCUMENTS**

PROJECT SUMMARY: HIGH CAPACITY METRO TRAINS PROJECT — Report tabled by leave (*Ms Allan*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 1 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Administration and Probate and Other Acts Amendment (Succession and Related Matters) Bill 2016
 Building Amendment (Enforcement and Other Measures) Bill 2016
 Children Legislation Amendment (Reportable Conduct) Bill 2016
 Children, Youth and Families Amendment (Youth Offenders) Bill 2016
 Corrections Amendment (Parole) Bill 2016
 Crimes (Mental Impairment and Unfitness to be Tried) Amendment Bill 2016
 Justice Legislation Amendment (Parole Reform and Other Matters) Act 2016
 Small Business Commission Bill 2016
 Summary Offences Amendment (Begging or Gathering Alms) Bill 2016
 Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016
 Victorian Planning Authority Bill 2016
 Wrongs Amendment (Organisational Child Abuse) Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Managing Community Correction Orders — Ordered to be published

Regulating Gambling and Liquor — Ordered to be published

Climate Change Act 2010 — Victoria's Climate Change Adaptation Plan 2017–2020

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Trentham Public Park and Recreation Reserve

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2016 under s 303

Financial Management Act 1994 — Budget Update 2016–17

Gambling Regulation Act 2003 — Amendment to Category 1 Public Lottery Licence under s 5.3.19

Independent Broad-based Anti-corruption Commission:

Operation Dunham: An investigation into the conduct of officers of the Department of Education and Training, including Darrel Fraser, in connection with the Ultranet project and related matters — Ordered to be published

Special report concerning illicit drug use by Victoria Police Officers: Operations Apsley, Hotham and Yarrowitch — Ordered to be published

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 147/2016 (*Gazette G51, 22 December 2016*)

Ombudsman:

Investigation into the Registry of Births, Deaths and Marriages' handling of a complaint — Ordered to be published

Investigation into the transparency of local government decision making — Ordered to be published

Report on youth justice facilities at the Grevillea unit of Barwon Prison, Malmsbury and Parkville — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C51

Ballarat — C193, C194, C205

Baw Baw — C89 Part 1

Boroondara — C257

Brimbank — C126 Part 1, C173 Part 2, C191, GC51

Cardinia — C217

Casey — C190

Greater Geelong — C328 Part 1, C335, C345, C346, C347, C348

Hepburn — C54

Hobsons Bay — GC51

Horsham — C74

Hume — C216

Knox — C152
 Latrobe — C87 Part 2
 Macedon Ranges — C109, GC58
 Mansfield — C37
 Maribyrnong — GC45
 Melbourne — C277, GC45
 Mitchell — C111
 Moonee Valley — C162, C168
 Mornington Peninsula — C203, GC51
 Moyne — C61
 Murrindindi — C58
 Northern Grampians — GC51
 Port Phillip — GC45, GC58
 Pyrenees — C41, C42
 Stonnington — C246, GC45
 Swan Hill — C58
 Whitehorse — C185, C188
 Whittlesea — C90, C199, C202
 Wodonga — C123
 Wyndham — C211

Project Development and Construction Management Act 1994 — Nomination order under s 6, application order under s 8 and a statement under s 9 of reasons for making a nomination order (three documents)

Statutory Rules under the following Acts:

Assisted Reproductive Treatment Act 2008 — SR 153/2016
County Court Act 1958 — SR 144/2016
EastLink Project Act 2004 — SR 150/2016
Environment Protection Act 1970 — SR 152/2016
Liquor Control Reform Act 1998 — SR 146/2016
Livestock Disease Control Act 1994 — SR 145/2016
Marine Safety Act 2010 — SR 143/2016
Planning and Environment Act 1987 — SR 148/2016
Professional Boxing and Combat Sports Act 1985 — SR 151/2016
Sex Offenders Registration Act 2004 — SR 154/2016
Subordinate Legislation Act 1994 — SR 142/2016
Transport (Compliance and Miscellaneous) Act 1983 — SRs 149, 155/2016
Victorian Energy Efficiency Target Act 2007 — SR 147/2016

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155/2016

Documents under s 16B in relation to:

City of Greater Geelong Act 1993 — Greater Geelong City Council — Mayoral and Deputy Mayoral Allowances — Alteration

City of Melbourne Act 2001 — Melbourne City Council — Lord Mayoral, Deputy Lord Mayoral and Councillor Allowances — Alteration

Education and Training Reform Act 2006:

Ministerial Order No 956 — Exemptions from attendance and enrolment at school

Ministerial Order No 957 — Order amending Ministerial Order No 615 — Amendment to Order Fixing of Fees Administered by the Victorian Registration and Qualifications Authority

Gambling Regulation Act 2003:

Victorian Player Account Equipment Technical Requirements document

Notice under s 3.6.5A, fixing the value of the supervision charge

Livestock Disease Control Act 1994 — Exemption order under s 6(3A)*National Electricity (Victoria) Act 2005* — F-Factor Scheme Order 2016*Road Safety Act 1986* — Specification of electric personal transporter use area — Geelong foreshore*Water Act 1989* — Abolition of Bungaree Groundwater Supply Protection Area, Wandin Yallock Groundwater Supply Protection Area and Barwon Water Supply Protection Area Order 2016.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Alpine Resorts Legislation Amendment Act 2016 — Whole Act — 1 January 2017 (*Gazette S381, 13 December 2016*)*Child Wellbeing and Safety Amendment (Oversight and Enforcement of Child Safe Standards) Act 2016* — Whole Act — 1 January 2017 (*Gazette S381, 13 December 2016*)*Crimes Amendment (Carjacking and Home Invasion) Act 2016* — Whole Act — 7 December 2016 (*Gazette S375, 6 December 2016*)*Family Violence Reform Implementation Monitor Act 2016* — Whole Act — 1 January 2017 (*Gazette S389, 20 December 2016*)*Housing Amendment (Victorian Housing Register and Other Matters) Act 2016* — Whole Act — 21 December 2016 (*Gazette S389, 20 December 2016*)*Melbourne and Olympic Parks Amendment Act 2016* — Whole Act — 12 December 2016 (*Gazette S375, 6 December 2016*)*Melbourne College of Divinity Amendment Act 2016* — Whole Act — 1 January 2017 (*Gazette S381, 13 December 2016*)*Road Legislation Further Amendment Act 2016* — Part 2, Divisions 3 and 5 of Part 3, remaining provisions of Part 4 and Part 5 — 1 January 2017 (*Gazette S389, 20 December 2016*)*Sentencing (Community Correction Order) and Other Acts Amendment Act 2016* — Whole Act (other than Part 5) — 20 March 2017 (*Gazette S17, 31 January 2017*)*Transport (Compliance and Miscellaneous) Amendment (Abolition of the Penalty Fares Scheme) Act 2016* — Whole Act — 1 January 2017 (*Gazette S389, 20 December 2016*).

- 16 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Family Violence Reform Implementation Monitor Bill 2016

Housing Amendment (Victorian Housing Register and Other Matters) Bill 2016

Justice Legislation Amendment (Parole Reform and Other Matters) Bill 2016.

- 17 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 13 December 2016, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Compensation Legislation Amendment Bill 2016

Family Violence Reform Implementation Monitor Bill 2016

Housing Amendment (Victorian Housing Register and Other Matters) Bill 2016

Justice Legislation Amendment (Parole Reform and Other Matters) Bill 2016.

- 18 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Building Amendment (Enforcement and Other Measures) Bill 2016

Children Legislation Amendment (Reportable Conduct) Bill 2016

Victorian Planning Authority Bill 2016.

- 19 **ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 14 April 2016 be amended to extend the reporting date for the Environment, Natural Resources and Regional Development Committee's inquiry into the control of invasive animals on Crown land to no later than 22 June 2017 (*Ms Allan*) — put and agreed to.
- 20 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 9 February 2017:

Children Legislation Amendment (Reportable Conduct) Bill 2016
Resources Legislation Amendment (Fracking Ban) Bill 2016

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 21 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 22 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates
- Business having been interrupted at 11.00 am under sessional orders.*
- 23 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 24 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 25 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements continued on the following Committee Reports:
- Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates
- Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election.
- 26 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016 without amendment.

- 27 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transport Integration Amendment (Head, Transport for Victoria and Other Governance Reforms) Bill 2016 with an amendment.

Ordered — That the amendment be taken into consideration immediately.

- 28 **TRANSPORT INTEGRATION AMENDMENT (HEAD, TRANSPORT FOR VICTORIA AND OTHER GOVERNANCE REFORMS) BILL 2016** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 29 **RESOURCES LEGISLATION AMENDMENT (FRACKING BAN) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

- 30 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 31 **RESOURCES LEGISLATION AMENDMENT (FRACKING BAN) BILL 2016** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 32 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 110 — Thursday 9 February 2017

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Horace Petty Estate, Prahran — Requesting that the Legislative Assembly calls on the Government to take the necessary action to prevent a pigeon infestation at Horace Petty Estate, Prahran, bearing 87 signatures (*Mr Hibbins*)

Inkerman Heights, St Kilda — Requesting that the Legislative Assembly calls on the Government to take the necessary action to prevent a pigeon infestation at Inkerman Heights, 150 Inkerman Street St Kilda, bearing 38 signatures (*Mr Hibbins*)

Union Street Estate, Windsor — Requesting that the Legislative Assembly calls on the Government to take the necessary action to prevent a pigeon infestation at Union Street Estate, 49 Union Street Windsor, bearing 21 signatures (*Mr Hibbins*)

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government not to give control of the Country Fire Authority to the United Firefighters Union, bearing 48 signatures (*Ms Staley*)

Native Vegetation Regulation Review — Requesting that the Legislative Assembly calls on the Government to use the Native Vegetation Regulations review to recognise the economic and environmental benefits of mining and agriculture to land use and enable rather than block small scale mining and farming projects, bearing 339 signatures (*Ms Staley*)

Stawell Tyre Pile — Requesting that the Legislative Assembly calls on the Government to urgently complete all relevant paperwork, permits and approvals required to remove the tyre pile located in Stawell, bearing 998 signatures (*Ms Staley*).

Petitions ordered to be tabled.

3 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

4 **PETITION — NATIVE VEGETATION REGULATION REVIEW** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

5 **PETITION — STAWELL TYRE PILE** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

6 **PETITION — HORACE PETTY ESTATE, PRAHRAN** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

7 **PETITION — INKERMAN HEIGHTS, ST KILDA** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

8 **PETITION — UNION STREET ESTATE, WINDSOR** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

9 DOCUMENTS

VICTORIAN LAW REFORM COMMISSION — Funeral and Burial Instructions Report tabled by leave (*Mr Pakula*).

Ordered to be published.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following documents in accordance with an Act of Parliament:

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Public Holidays Act 1993* — Notice appointing Christmas Day 2016 as a Public Holiday under s 7.

- 10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 21 February 2017 (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 11 **FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE** — The Speaker announced that he had received the resignation of Ms Kealy from the Family and Community Development Committee, effective from today.
- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **EXCLUSIVE COGNISANCE** — Motion made and question — That this House:

- (1) Notes the description of exclusive cognisance given in Hatsell's *Precedents and Proceedings of the House of Commons*, vol 3, p 67, that: 'the leading principle, which appears to pervade all the proceedings between the two Houses of Parliament is that there shall subsist a perfect equality with respect to each other, and that they shall be, in every respect, totally independent, one of the other';
- (2) Asserts the rights and privileges of the Legislative Assembly with respect to exclusive cognisance regarding members of the Legislative Assembly in relation to the matter referred to the Ombudsman by the Legislative Council on 25 November 2015, meaning that the Legislative Council's referral to the Ombudsman cannot be taken to apply to current or former members of the Legislative Assembly;
- (3) Directs the Speaker to convey the terms of this resolution in writing to the President of the Legislative Council and the Ombudsman accordingly —

(*Mr Pakula*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

16 **EXCLUSIVE COGNISANCE** — Debate continued on question — That this House:

- (1) Notes the description of exclusive cognisance given in Hatsell's *Precedents and Proceedings of the House of Commons*, vol 3, p 67, that: 'the leading principle, which appears to pervade all the proceedings between the two Houses of Parliament is that there shall subsist a perfect equality with respect to each other, and that they shall be, in every respect, totally independent, one of the other';
- (2) Asserts the rights and privileges of the Legislative Assembly with respect to exclusive cognisance regarding members of the Legislative Assembly in relation to the matter referred to the Ombudsman by the Legislative Council on 25 November 2015, meaning that the Legislative Council's referral to the Ombudsman cannot be taken to apply to current or former members of the Legislative Assembly;
- (3) Directs the Speaker to convey the terms of this resolution in writing to the President of the Legislative Council and the Ombudsman accordingly —

Question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

17 **STATUTE LAW REVISION BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 23 February 2017.

18 **STATUTE LAW REVISION BILL 2017** — Motion made, by leave, and question — That the proposals contained in the Statute Law Revision Bill 2017 be referred to the Scrutiny of Acts and Regulations Committee for inquiry, consideration and report (*Mr Pakula*) — put and agreed to.

- 19 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION CIVIL PENALTIES SCHEME) BILL 2017** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 23 February 2017.

- 20 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2017** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 23 February 2017.

- 21 **CHILDREN LEGISLATION AMENDMENT (REPORTABLE CONDUCT) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 8 February 2017 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **RESOURCES LEGISLATION AMENDMENT (FRACKING BAN) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

- 23 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.35 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 111, 112 and 113

No 111 — Tuesday 21 February 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF PETER STEWART McARTHUR** — The Speaker announced the death of Peter Stewart McArthur, Member of the Legislative Assembly for the Electoral District of Ringwood from 1976 to 1982; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 5 **JURY DIRECTIONS AND OTHER ACTS AMENDMENT BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Jury Directions Act 2015**, the **Criminal Procedure Act 2009**, the **Evidence Act 2008**, the **Evidence (Miscellaneous Provisions) Act 1958** and the **Juries Act 2000** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **EDUCATION AND CARE SERVICES NATIONAL LAW AMENDMENT BILL 2017** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the **Education and Care Services National Law** set out in the Schedule to the **Education and Care Services National Law Act 2010**, the **Children's Services Act 1996** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **DOCUMENTS**
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 2 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Building Amendment (Enforcement and Other Measures) Bill 2016
Country Fire Authority Amendment (Protecting Volunteer Firefighters) Bill 2016
Drugs, Poisons and Controlled Substances Amendment (Pilot Medically Supervised Injecting Centre) Bill 2017
Electricity Safety Amendment (Bushfire Mitigation Civil Penalties Scheme) Bill 2017
Fair Work (Commonwealth Powers) Amendment Bill 2017
Justice Legislation Amendment (Parole Reform and Other Matters) Act 2016
Statute Law Revision Bill 2017
Victorian Planning Authority Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crimes (Assumed Identities) Act 2004 — Report 2015–16 under s 31

Duties Act 2000 — Report 1 June 2016 to 31 December 2016 of Foreign Purchaser Additional Duty Exemptions under s 3E

Land Tax Act 2005 — Report 1 June 2016 to 31 December 2016 of Land Tax Absentee Owner Surcharge Exemptions under s 3B

Major Sporting Events Act 2009 — Major Sporting Event Orders under s 22 (*Gazette G51, 22 December 2016*) (three orders)

Murray-Darling Basin Authority — Report 2015–16

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bass Coast — C140

Casey — C220, C250

Darebin — C153

Greater Bendigo — C212

Greater Geelong — C325

Hume — C196, C213

Indigo — C68

Kingston — C147

Knox — C158

Macedon Ranges — C102

Maroondah — C102

Mornington Peninsula — C197, C230

Port Phillip — C136

Wangaratta — C69

Warrnambool — C101

Wodonga — C120

Wyndham — C186, C209 Part 1

Yarra — C146

Subordinate Legislation Act 1994 — Documents under s 16B in relation to:

Geographic Place Names Act 1998 — Naming rules for places in Victoria: Statutory requirements for naming roads, features and localities 2016

Kardina Park Stadium Act 2016 — Event management declaration for Kardinia Park events

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q.

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Food Amendment (Kilojoule Labelling Scheme and Other Matters) Bill 2016 without amendment.

9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 14 February 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Energy Legislation Amendment (Feed-in Tariffs and Improving Safety and Markets) Bill 2016

Food Amendment (Kilojoule Labelling Scheme and Other Matters) Bill 2016

Transport Integration Amendment (Head, Transport for Victoria and Other Governance Reforms) Bill 2016.

- 10 **ELECTORAL MATTERS COMMITTEE** — Motion made, by leave, and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry into civics and electoral participation in Victorian state parliamentary elections be referred to the Electoral Matters Committee for consideration and report no later than 31 August 2018 and the Committee should specifically examine:
- (1) electoral and civics education, the Victorian Electoral Commission's (VEC's) community engagement programs and other best practice approaches used by the VEC, other Australian electoral commissions, the United Kingdom and New Zealand, to ensure that Victorian citizens are adequately informed and able to participate effectively in elections;
 - (2) strategies to reduce informal voting at Victorian state elections which are not related to the voting system;
 - (3) how the VEC employs and trains casual staff for Victorian state elections, this should involve discussion about methods to attract people to join the VEC's casual staffing roster for Victorian elections, the Committee should also examine the roles and responsibilities of the VEC's casual election staff in light of changing technological and societal demands; and
 - (4) strategies to increase electoral participation amongst community groups that traditionally experience barriers to electoral participation, such as Victorians aged 18 to 24, Victorians from multicultural backgrounds, as well as Victorians who have recently become Australian citizens and are not familiar with Australia's electoral system —

(*Ms Allan*) — put and agreed to.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 23 February 2017:

Consumer Acts Amendment Bill 2016
 Crimes (Mental Impairment and Unfitness to be Tried) Amendment Bill 2016
 Electricity Safety Amendment (Bushfire Mitigation Civil Penalties Scheme) Bill 2017
 Fair Work (Commonwealth Powers) Amendment Bill 2017
 Victorian Planning Authority Bill 2016

(*Ms Allan*) — put, after debate, and agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **VICTORIAN PLANNING AUTHORITY BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 14 **CONSUMER ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 15 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 112 — Wednesday 22 February 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017** — Ms Allan obtained leave to bring in a Bill 'for an Act to impose a levy on the provision of commercial passenger vehicle services, to amend the *Transport (Compliance and Miscellaneous) Act 1983*, the *Transport Integration Act 2010*, the *Bus Safety Act 2009*, the *Road Safety Act 1986* and the *Taxation Administration Act 1997* and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:
- Pedestrian Crossing Main Street, Mornington** — Requesting that the Legislative Assembly calls on the Government to install a pedestrian crossing on Main Street, between Nepean Highway and Cromwell Street, Mornington, bearing 523 signatures (*Mr Morris*)
- Wangaratta State Emergency Services Headquarters** — Requesting that the Legislative Assembly calls on the Government to fund the development of new purpose-built headquarters for the Wangaratta State Emergency Services, bearing 85 signatures (*Mr McCurdy*)
- Crown Land Leases** — Requesting that the Legislative Assembly calls on the Government to stop taking over Crown leases for land currently being used for affordable family holidays and ensure correct and fair processes are applied to the management of future Crown Land leases, bearing 290 signatures (*Ms Britnell*).
- Petitions ordered to be tabled.
- 4 **PETITION — WANGARATTA STATE EMERGENCY SERVICES HEADQUARTERS** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 5 **PETITION — PEDESTRIAN CROSSING MAIN STREET, MORNINGTON** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 6 **PETITION — CROWN LAND LEASES** — Motion made and question — That the petition presented by the Member for South-West Coast be taken into consideration tomorrow (*Ms Britnell*) — put and agreed to.
- 7 **DOCUMENTS**
- SCRUTINY OF ACTS AND REGULATIONS COMMITTEE** — Ms Blandthorn, Chair, presented a report from the Scrutiny of Acts and Regulations Committee on the Statute Law Revision Bill 2017, together with an appendix.

Ordered to be tabled and published.

DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following document in accordance with an Act of Parliament:

Statutory Rule under the *Fisheries Act 1995* — SR 1.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates.

10 **JURY DIRECTIONS AND OTHER ACTS AMENDMENT BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 March 2017.

11 **EDUCATION AND CARE SERVICES NATIONAL LAW AMENDMENT BILL 2017** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 March 2017.

12 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to — (1) take into account further consultation about the substantive matters of the Bill; and (2) retain the procedural components of the bill so the operational improvements identified in the Victorian Law Reform Commission's *Review of the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* can be achieved' (*Mr Pesutto*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 15 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Business having been interrupted at 2.00 pm under sessional orders.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — PROTECTING THE COMMUNITY AND RESPECT FOR LAWS** — The House was informed that Mr Pesutto had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House:

- (1) notes under the Andrews Labor Government:
 - (a) despite members of the House repeatedly calling on the Andrews Labor Government to fix Victoria's weak bail laws for over two years, the Government has not brought any bills forward to adequately toughen the law so that violent people are not free to remain on Victorian streets while they await trial;
 - (b) no action has been taken in over two years to address weak sentencing laws and a number of court decisions that have seen violent offenders remain in the community and has also seen no change to sentence lengths for a number of serious crimes;
 - (c) no action has been taken to better support victims who suffer trauma, anguish and loss as a result of violent crime; and
 - (d) despite surging rates of crime, recent Victoria Police data show that the numbers of police per capita and police at police stations have been cut since November 2014;
- (2) calls on the Premier to urgently implement the measures needed to protect the Victorian community, restore respect for our laws and institutions and send a message that criminal behaviour will not be tolerated in our community.'

Mr Pesutto addressed the House — Discussion followed.

- 17 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016** — Debate continued on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to — (1) take into account further consultation about the substantive matters of the Bill; and (2) retain the procedural components of the bill so the operational improvements identified in the Victorian Law Reform Commission's *Review of the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* can be achieved.'

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 4 be postponed until later this day.

- 19 **CONSUMER ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

No 113 — Thursday 23 February 2017

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

The Pillars Foreshore, Mount Martha — Requesting that the Legislative Assembly calls on the Government to allocate funding to the Mornington Peninsula Shire Council so that a safe public walking trail with amenities can be constructed along the Pillars Foreshore cliff between South Beach and Stanley Crescent, Mount Martha, bearing 628 signatures (*Mr Morris*).

Ordered to be tabled.

- 3 **PETITION — THE PILLARS FORESHORE, MOUNT MARTHA** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.

- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 7 March 2017 (*Ms Allan*) — put and agreed to.

- 5 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 6 **COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Ms Allan made the statement of intention required by s 85(5)(c) of the Constitution Act 1975

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Motion made and question proposed — That the debate be adjourned for two weeks (*Ms Allan*) — and, after debate —

Amendment proposed — That the word 'two' be omitted with the view of inserting in its place the word 'four' (*Mr Hodgett*) — and, after debate —

Question — That the word proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until Thursday 9 March 2017.

- 7 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 10 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Climate Change Bill 2016 without amendment.

- 12 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION CIVIL PENALTIES SCHEME) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 4 and 5, be postponed until later this day.

- 14 **CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to — (1) take into account further consultation about the substantive matters of the Bill; and (2) retain the procedural components of the bill so the

operational improvements identified in the Victorian Law Reform Commission's *Review of the Crimes (Mental Impairment and Unfitness to be Tried) Act 1997* can be achieved.'

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill considered in detail (*see p 511*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 21 February 2017 had expired.

Question — That clauses 30 to 152 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Languiller, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Brooks; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **ELECTRICITY SAFETY AMENDMENT (BUSHFIRE MITIGATION CIVIL PENALTIES SCHEME) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **CONSUMER ACTS AMENDMENT BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.07 pm under sessional orders.

- 18 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 5.34 pm.

R W PURDEY
Clerk of the Legislative Assembly

TELMO LANGUILLER MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 111, 112 and 113

No 113 — Thursday 23 February 2017

CRIMES (MENTAL IMPAIRMENT AND UNFITNESS TO BE TRIED) AMENDMENT BILL 2016
Clauses 1 to 29 agreed to.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of items under the resolution of the House on Tuesday 21 February 2017 had expired (for remaining stages see pp 508–9).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 114, 115 and 116

No 114 — Tuesday 7 March 2017

- 1 The House met according to the adjournment.

The Mace was brought into the House by the Serjeant-at-Arms and laid under the Table.

- 2 **RESIGNATION OF SPEAKER** — The Clerk announced that he had received the following communication:

27 February 2017

Mr Ray Purdey
Clerk of the Legislative Assembly
Parliament of Victoria
East Melbourne 3002

Dear Mr Purdey

I contacted the Premier on Saturday 25 February 2017 to inform him that I would be resigning as the Speaker of the Parliament. The Premier accepted my resignation and agreed with me that it is the right course of action.

I hereby wish to advise you that I resign from my position as the Speaker of the Legislative Assembly effective Saturday 25 February 2017.

Yours sincerely

Hon Telmo Languiller MP

- 3 **ELECTION OF SPEAKER** — Mr Carroll proposed the Member for Bundoora, Colin Brooks, as Speaker of the Legislative Assembly and moved, that the Member for Bundoora take the Chair of this House as Speaker. The motion was seconded by Ms Thomson (*Footscray*).

Mr Brooks accepted the nomination.

Mr Guy proposed the Member for Evelyn, Christine Fyffe, as Speaker of the Legislative Assembly and moved, that the Member for Evelyn take the Chair of this House as Speaker. The motion was seconded by Mr Walsh.

Mrs Fyffe accepted the nomination.

A ballot was taken, and the written report of the scrutineers was given to the Clerk.

The Clerk declared that the Member for Bundoora, having obtained more than half of the votes of the members present, had been duly elected Speaker.

Mr Brooks was accompanied to the Chair by Mr Carroll and Ms Thomson (*Footscray*), where he acknowledged the great honour conferred upon him. The Mace was then placed on the Table.

Members congratulated the Speaker.

Member named and suspended — The Member for Gembrook (*Mr Battin*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Gembrook (*Mr Battin*) be suspended from the service of the House during the remainder of the week's sitting (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Mr Battin accordingly withdrew from the Chamber.

The Speaker read the Prayer and made an acknowledgement of Country.

4 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

5 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

6 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Family Violence Protection Act 2008, the Coroners Act 2008, the County Court Act 1958, the Crimes Act 1958, the Criminal Procedure Act 2009, the Magistrates' Court Act 1989 and the Public Health and Wellbeing Act 2008, to repeal the Family Violence Protection Amendment Act 2014, to make consequential amendments to the National Domestic Violence Order Scheme Act 2016 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the Marine Safety Act 2010, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Port Management Act 1995 and the Road Safety Act 1986 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Yarrambat and Diamond Creek Rezoning — Requesting that the Legislative Assembly calls on the Government to include lands located in Ironbark Road, Diamond Creek and Pioneer Road, Yarrambat in the urban boundary and consider what effect the Victorian Planning Authority Bill 2016, Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016 and any existing or new urban growth strategies may have on the land, bearing 4 signatures (*Mr Southwick*)

East Gippsland Timber Workers — Requesting that the Legislative Assembly calls on the Government to direct VicForests to immediately review timber resource allocations in order to secure jobs for East Gippsland timber workers, bearing 1887 signatures (*Mr Bull, Gippsland East*)

Gaffney and Sussex Streets Intersection, Coburg — Requesting that the Legislative Assembly calls on the Government to work with the relevant local government agencies and service providers to install traffic lights at the Gaffney Street and Sussex Street intersection in Coburg, bearing 218 signatures (*Ms Blandthorn*)

Beach Road between Black Rock and Mentone — Requesting that the Legislative Assembly calls on the Government to install strategically placed traffic refuges along Beach Road between Balcombe Road, Black Rock and Naples Road, Mentone that allow pedestrians to cross the road safely, bearing 361 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

- 9 **PETITION — GAFFNEY AND SUSSEX STREETS INTERSECTION, COBURG** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Blandthorn*) — put and agreed to.

10 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 3 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Children, Youth and Families Amendment (Youth Offenders) Bill 2016
 Commercial Passenger Vehicle Industry Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Pilot Medically Supervised Injecting Centre) Bill 2017
 Education and Care Services National Law Amendment Bill 2017
 Jury Directions and Other Acts Amendment Bill 2017
 Resources Legislation Amendment (Fracking Ban) Bill 2016

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Australian Children's Education and Care Quality Authority — Report 2015–16

Crown Land (Reserves) Act 1978 — Orders under s 17D granting leases over Koala Conservation Centre and Churchill Island Visitor Centre (two orders)

Education and Care Services National Law Act 2010 — Report 2015–16 of the Education and Care Services Ombudsman, National Education and Care Services Freedom of Information and Privacy Commissioners

Essential Services Commission Act 2001 — Review of the Act and Government response (two documents)

Interpretation of Legislation Act 1984 — Notices under s 32(4)(a)(iii) in relation to Statutory Rules 54/2007, 166/2008, 37/2011, 132/2012 (*Gazette G7, 16 February 2017*) and 2 (*Gazette G9, 2 March 2017*)

Municipal Association of Victoria — Report 2015–16

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C38
 Banyule — GC48
 Baw Baw — C89 Part 2
 Boroondara — GC48
 Colac Otway — C92
 Greater Bendigo — C227
 Greater Geelong — C272, C328 Part 2
 Latrobe — C90
 Manningham — GC48
 Melbourne — GC40, C288, C290, C310
 Monash — C132
 Moonee Valley — GC40
 Mount Alexander — C81
 Nillumbik — GC48
 Port Phillip — C146
 Stonnington — GC48, C247, C253
 Surf Coast — C113
 Swan Hill — C71
 Whitehorse — C212
 Whittlesea — C187
 Yarra — GC48
 Yarra Ranges — C157

Professional Standards Act 2003 — Instrument amending the RICS Valuers Limited Scheme under s 14 (*Gazette G7, 16 February 2017*)

Statutory Rules under the following Acts:

Dangerous Goods Act 1985 — SR 2
Victorian Civil and Administrative Tribunal Act 1998 — SR 3

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 1, 2, 3
 Documents under s 16B in relation to:
Assisted Reproductive Treatment Act 2008 — Guidelines under s 100A
Victorian Commission for Gambling and Liquor Regulation Act 2011 — Decision-making guidelines — approval of premises as suitable for gaming

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice No 1/2017 (*Gazette G8, 23 February 2017*).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Estate Agents Amendment (Underquoting) Act 2016 — Whole Act — 1 May 2017 (*Gazette S35, 21 February 2017*)
Traditional Owner Settlement Amendment Act 2016 — Parts 1 and 3 and ss 4 to 10, 25 and 27 — 28 February 2017 (*Gazette S44, 28 February 2017*).

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Children Legislation Amendment (Reportable Conduct) Bill 2016 without amendment.

12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 28 February 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Children Legislation Amendment (Reportable Conduct) Bill 2016
Climate Change Bill 2016.

13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Commercial Passenger Vehicle Industry Bill 2017
Education and Care Services National Law Amendment Bill 2017.

14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 9 March 2017:

Administration and Probate and Other Acts Amendment (Succession and Related Matters) Bill 2016
Building Amendment (Enforcement and Other Measures) Bill 2016
Commercial Passenger Vehicle Industry Bill 2017
Education and Care Services National Law Amendment Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

15 **RESIGNATION OF DEPUTY SPEAKER** — The Speaker announced that he had received a report from the Clerk advising of the resignation of the Member for Melton, Don Nardella, as Deputy Speaker.

16 **ELECTION OF DEPUTY SPEAKER** — Ms Allan proposed the Member for Bendigo West, Maree Edwards, as Deputy Speaker and moved, that the Member for Bendigo West be appointed Deputy Speaker of this House. The motion was seconded by Ms Halfpenny.

Ms Edwards accepted the nomination.

Mr Walsh proposed the Member for Mildura, Peter Crisp, as Deputy Speaker and moved, that the Member for Mildura be appointed Deputy Speaker of this House. The motion was seconded by Mr Guy.

Mr Crisp accepted the nomination.

A ballot was taken, and the written report of the scrutineers was given to the Speaker.

The Speaker declared that the Member for Bendigo West, having obtained more than half of the votes of the members present, had been duly elected Deputy Speaker.

17 **STATEMENTS BY MEMBERS** — Statements by members were made.

18 **BUILDING AMENDMENT (ENFORCEMENT AND OTHER MEASURES) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Foley announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

19 **ADMINISTRATION AND PROBATE AND OTHER ACTS AMENDMENT (SUCCESSION AND RELATED MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

20 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 115 — Wednesday 8 March 2017

1 The Speaker took the Chair and read the Prayer.

2 **DRUGS, POISONS AND CONTROLLED SUBSTANCES MISCELLANEOUS AMENDMENT BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** in relation to psychoactive substances, methylamphetamine and opioid substitution therapy and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Gippsland Regional Aquatic Centre, Traralgon — Requesting that the Legislative Assembly calls on the Government to provide funding for the construction of a Gippsland Regional Aquatic Centre in Traralgon, bearing 411 signatures (*Mr Northe*)

Melbourne Water Land, Rosebud — Requesting that the Legislative Assembly calls on the Government to reject amendments to rezone the Melbourne Water land in Rosebud from a public to residential zone, bearing 113 signatures (*Mr Dixon*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly calls on the Government to begin planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 474 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 4 **PETITION — MELBOURNE WATER LAND, ROSEBUD** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 5 **PETITION — GIPPSLAND REGIONAL AQUATIC CENTRE, TRARALGON** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.
- 6 **ACTING SPEAKERS** — The following warrant appointing Acting Speakers was tabled by the Speaker:

VICTORIA
LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Lizzie Blandthorn, Anthony Carbines, Christine Couzens, Steve Dimopoulos, Sonya Kilkenny, Sharon Knight, Frank McGuire, Danny Pearson, Marsha Thomson and Vicki Ward to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

Given under my hand on 8 March 2017

Hon Colin Brooks MP
SPEAKER

- 7 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Managing Public Sector Records — Ordered to be published

Statutory Rules under the following Acts:

County Court Act 1958 — SR 5

Legal Profession Uniform Law Application Act 2014 — SR 4

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 4, 5.

- 8 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Crimes Legislation Further Amendment Bill 2016

Resources Legislation Amendment (Fracking Ban) Bill 2016.

- 9 **ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — The Speaker announced that he had received the resignation of Ms Bath, MLC from the Accountability and Oversight Committee, effective from 7 March 2017.

- 10 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into portability of long service leave entitlements

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2015–16.

- 12 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 March 2017.

- 13 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodggett*) — put and agreed to.

Motion made and question proposed — That the debate be adjourned for two weeks (*Mr Donnellan*) — and, after debate —

Amendment proposed — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until consideration of the motion by the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed' (*Mr Clark*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 16 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — Debate resumed on question — That the debate be adjourned for two weeks — *and on the amendment* — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until consideration of the motion

by the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until Wednesday 22 March 2017.

- 17 **ADMINISTRATION AND PROBATE AND OTHER ACTS AMENDMENT (SUCCESSION AND RELATED MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

- 18 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FIRST HOME BUYERS AND PENALTY RATES** — The House was informed that Mr Pallas had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes:

- (1) recent Victorian Government initiatives to make it easier for Victorians to own their first home including removing all stamp duty for first home buyers on properties under \$600,000 and doubling the First Home Grant for new homes in regional areas;
- (2) that while the Victorian Government is helping Victorians to own their own home, members of the Victorian and Commonwealth Liberal-Nationals Coalitions are making it harder for Victorians to earn a living and buy their first home by supporting the recent decision to cut penalty rates, despite the impact these cuts will have on Victorian workers, particularly:
 - (a) Victoria's lowest paid, award reliant workers;
 - (b) women;
 - (c) young workers; and
 - (d) workers in regional Victoria.'

Mr Pallas addressed the House — Discussion followed.

- 19 **ADMINISTRATION AND PROBATE AND OTHER ACTS AMENDMENT (SUCCESSION AND RELATED MATTERS) BILL 2016** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **EDUCATION AND CARE SERVICES NATIONAL LAW AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 116 — Thursday 9 March 2017

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Taxi and Hire Car Licence Compensation — Requesting that the Legislative Assembly calls on the Government to provide appropriate compensation to taxi and hire car licensees, bearing 1270 signatures (*Mr Watt*)

Horsham Bypass Route — Requesting that the Legislative Assembly calls on the Government to consider and approve Amendment C72 to the Horsham Planning Scheme, which identifies option D as the preferred route for the Horsham bypass, bearing 922 signatures (*Ms Kealy*).

Petitions ordered to be tabled.

- 3 **PETITION — TAXI AND HIRE CAR LICENCE COMPENSATION** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

- 4 **ACTING SPEAKERS** — The following warrant appointing Acting Speakers was tabled by the Speaker:

VICTORIA LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Judith Graley and Ros Spence to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrant of 8 March 2017.

Given under my hand on 9 March 2017

Hon Colin Brooks MP
SPEAKER

- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Commissioner for Environmental Sustainability Act 2003 — Strategic Audit: Implementation of Environmental Management Systems in Victorian Government 2015–16

Independent Broad-based Anti-corruption Commission — Operation Liverpool: An investigation into the conduct of two officers of Bendigo Health, Adam Hardinge and John Mulder — Ordered to be published.

- 6 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE** — The Speaker announced that he had received the resignation of Mr Nardella from the Economic, Education, Jobs and Skills Committee, effective from 8 March 2017.

- 7 **PENALTY RATES AND FAIR PAY SELECT COMMITTEE** — Motion made, by leave, and question proposed — That —

(1) A select committee be appointed to:

- (a) inquire into and report on the economic and social impact and cost of the Fair Work Commission's recent decision to cut penalty rates to thousands of Victorian workers, particularly in relation to:

- (i) Victoria's lowest paid, award reliant workers;
- (ii) women;
- (iii) young workers;
- (iv) workers in regional Victoria;
- (v) single parents;
- (vi) the detrimental effect on the Victorian economy;
- (vii) workers who may be indirectly affected as they experience the flow on effects of this decision in their enterprise bargaining, across different industries, or who work in industries which may be targeted next;

- (b) also investigate possible safeguards and federal legislative changes, that can be advocated for at the Commonwealth, State and Territory Ministers for Workplace Relations and Work Health and Safety meeting, to protect vulnerable Victorian workers and all other relevant matters;

- (2) The Committee be required to present an interim report no later than 21 June 2017 and a final report no later than 1 September 2017;

(3) Such Committee to consist of:

- (a) Government members Ms Williams, Ms Blandthorn, Ms Suleyman and Mr Bull (*Sunbury*);

- (b) two opposition members, nominated by the Leader of the Opposition and one cross bench member nominated by the Leader of the House, and those members to be appointed by the lodgement of names to the Speaker by 5.00 pm on the day after the motion is passed;
- (4) Ms Williams be the Chair;
- (5) Four be the quorum; and
- (6) The provisions of this resolution, so far as they are inconsistent with standing orders, have effect despite anything in standing orders —

(*Ms Allan*) — and, after debate —

Amendment proposed — That after paragraph (1)(b) there be inserted the words '(c) also investigate the circumstances and timelines for the addition of penalty rates to the review and the appointment of the Fair Work Commissioners who made the decision; and' (*Ms Staley*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 10 **PENALTY RATES AND FAIR PAY SELECT COMMITTEE** — Debate resumed on question that the motion be agreed to — and on the amendment.

Question — That the question be now put (*Ms Richardson, Northcote*) — put and agreed to.

Question — That the amendment be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 38

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Original question — put and agreed to.

- 11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 21 March 2017 (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Heritage Bill 2016 without amendment.
- 14 **DRUGS, POISONS AND CONTROLLED SUBSTANCES MISCELLANEOUS AMENDMENT BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 23 March 2017.

- 15 **EDUCATION AND CARE SERVICES NATIONAL LAW AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 16 **COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Hodgett announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate continued on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until it has been referred to, and considered by the Public Accounts and Estimates Committee' (*Mr Hodgett*) — and, after debate —

Amendment proposed to Mr Hodgett's amendment — That all the words after 'until' be omitted with the view of inserting in their place the words 'the Legislative Council Economy and Infrastructure

Committee has tabled its report on the need for, and appropriate structure of, regulation of ride sourcing services such as Uber' (*Mr Hibbins*) — and, after debate —

Question — That the words proposed to be omitted from the amendment stand part of the question — put.

A division having been called, the Speaker advised that there was only one vote for the 'noes' and accordingly, declared that the question was agreed to. Mr Hibbins asked that his dissent be recorded.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill read a second time and considered in detail (*see pp 529–30*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 March 2017 had expired.

Question — That amendment No 1 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 37

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Question — That clause 1 stand part of the bill — put and agreed to.

Question — That clauses 2 to 80 inclusive stand part of the Bill, and the Bill be agreed to without amendment — put and agreed to.

Question — That this Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 17 **ADMINISTRATION AND PROBATE AND OTHER ACTS AMENDMENT (SUCCESSION AND RELATED MATTERS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **BUILDING AMENDMENT (ENFORCEMENT AND OTHER MEASURES) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 34 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **EDUCATION AND CARE SERVICES NATIONAL LAW AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.14 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.41 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 114, 115 and 116

No 116 — Thursday 9 March 2017

COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017

Clause 1, *The Deputy Speaker advised that if amendment No 1 is not agreed to, the remaining amendments cannot be moved as they are consequential.*

Mr Hodgett moved amendment No 1 (*see Schedule*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 March 2017 had expired (for remaining stages see pp 526–7).

SCHEDULE OF AMENDMENT MOVED

COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017

Amendment moved by Mr Hodgett

1. Clause 1, lines 4 to 6, omit all words and expressions on these lines.

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 117, 118 and 119

No 117 — Tuesday 21 March 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **LETTER FROM THE PRESIDENT** — The Speaker read a letter from the President in relation to the internal audit of second residence allowances, communicating the outcome of the analysis of allowances claims made by the Members for Tarneit and Melton.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 5 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Family Violence Protection Act 2008** to establish an information sharing scheme designed to enable specified entities to share family violence information in a timely and effective manner such that it prevents or reduces family violence, to provide for a framework for achieving consistency in family violence risk assessment and family violence risk management, to make consequential and miscellaneous amendments to other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time on Thursday 23 March 2017.
- 6 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — Mr Scott obtained leave to bring in a Bill '*for an Act to amend the **Accident Compensation Act 1985**, the **Dangerous Goods Act 1985**, the **Occupational Health and Safety Act 2004** and the **Workplace Injury Rehabilitation and Compensation Act 2013** to further improve the operation of those Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **LAND LEGISLATION AMENDMENT BILL 2017** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Transfer of Land Act 1958** in relation to the conversion of general law land, recording of notices and instruments, and other matters relating to the recording of instruments in the Register, the **Subdivision Act 1988** in relation to unlimited and limited owners corporations and the registration of plans, and the **Valuation of Land Act 1960** in relation to the release of information from the valuation record and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY MINE REHABILITATION COMMISSIONER) BILL 2017** — Mr Noonan obtained leave to bring in a Bill '*for an Act to amend the **Mineral Resources (Sustainable Development) Act 1990** to establish the Latrobe Valley Mine Rehabilitation Commissioner, to provide for the making of a regional rehabilitation strategy and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Country Fire Authority — Requesting that the Legislative Assembly calls on the Government not to give control of the Country Fire Authority to the United Firefighters Union, bearing 1499 signatures (*Ms Ryan*)

Safe Schools Program — Requesting that the Legislative Assembly calls on the Government to stop compelling Victorian secondary schools to implement the Safe Schools program and allow parents to decide if their children will participate in the program, bearing 87 signatures (*Ms Ryan*)

Additional Frontline Police — Requesting that the Legislative Assembly calls on the Government to commit to providing additional frontline police numbers, bearing 39 signatures (*Mr Burgess*)

Inglewood Fire Station — Requesting that the Legislative Assembly calls on the Government to provide funding to the Inglewood Fire Brigade for the development of a new fire station, bearing 1004 signatures (*Ms Staley*).

Petitions ordered to be tabled.

10 **PETITION — ADDITIONAL FRONTLINE POLICE** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

11 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.

12 **PETITION — SAFE SCHOOLS PROGRAM** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.

13 **PETITION — INGLEWOOD FIRE STATION** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

14 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 4 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Commercial Passenger Vehicle Industry Bill 2017
 Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017
 Family Violence Protection Amendment Bill 2017
 Jury Directions and Other Acts Amendment Bill 2017
 Ports and Marine Legislation Amendment Bill 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Trentham Public Park and Recreation Reserve

Financial Management Act 1994 — 2016–17 Mid-Year Financial Report incorporating Quarterly Financial Report No 2 for the period ended 31 December 2016

Judicial Entitlements Act 2015 — Recommendation statement under s 34

Ombudsman — Investigation into allegations of improper conduct by officers at the Mount Buller and Mount Stirling Resort Management Board — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — GC60
 Campaspe — C109
 Cardinia — C212, C219
 Darebin — GC60
 Greater Geelong — C301
 Greater Shepparton — C187
 Nillumbik — GC60
 Whittlesea — GC60
 Yarra — GC60

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2015–16

Statutory Rules under the following Acts:

Motor Car Traders Act 1986 — SR 8
Residential Tenancies Act 1997 — SR 7
Rooming House Operators Act 2016 — SR 6

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 6, 7, 8

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice No 2/2017 (*Gazette S63, 10 March 2017*).

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Rooming House Operators Act 2016 — Whole Act — 26 April 2017 (*Gazette S57, 7 March 2017*).

- 15 **COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS** — The Deputy Speaker announced that the Speaker had received a Commission from the Governor, which she read as follows:

BY HER EXCELLENCY THE HONOURABLE LINDA DESSAU AC
 GOVERNOR OF VICTORIA

TO THE HONOURABLE COLIN BROOKS MP
 SPEAKER OF THE LEGISLATIVE ASSEMBLY OF VICTORIA.

GREETING:

Acting under section 23(1) of the *Constitution Act 1975*, I authorise you, from time to time, in all places that I fix for the despatch of business of the Legislative Assembly, to administer the prescribed Oath or Affirmation of Allegiance to any Member of the Legislative Assembly who has not already taken and subscribed the same since his or her election to the Legislative Assembly.

Given under my hand and the Seal of Victoria on this 15th day of March 2017.

(LS)

LINDA DESSAU AC
Governor

By Her Excellency's Command
DANIEL ANDREWS MP
Premier

- 16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transparency in Government Bill 2015 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 18 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 15 March 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Crimes Legislation Further Amendment Bill 2016
Heritage Bill 2016
Resources Legislation Amendment (Fracking Ban) Bill 2016.

- 19 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017.

- 20 **PENALTY RATES AND FAIR PAY SELECT COMMITTEE** — The Deputy Speaker announced that in accordance with the resolution of the House of 9 March 2017, the following members' names had been lodged with the Speaker for membership of the Penalty Rates and Fair Pay Select Committee: Mr Clark, Mr Hibbins and Ms Ryall.

- 21 **ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE** — The Deputy Speaker announced that the Speaker had received the resignations from the Environment, Natural Resources and Regional Development Committee of:

(1) Mr McCurdy effective from 20 March 2017;

(2) Mr Tilley and Ms Ward effective from today.

- 22 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That:

(1) Ms Garrett be appointed to the Economic, Education, Jobs and Skills Committee;

(2) Mr Bull (*Sunbury*) and Mr Riordan be appointed to the Environment, Natural Resources and Regional Development Committee;

(3) Ms Britnell be appointed to the Family and Community Development Committee;

(4) Mr Brooks and Mr Nardella be discharged from the Standing Orders Committee and that Mr Carroll and Ms Edwards be appointed in their place —

(*Ms Allan*) — put, after debate, and agreed to.

- 23 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 23 March 2017:

Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017
 Family Violence Protection Amendment Bill 2017
 Jury Directions and Other Acts Amendment Bill 2017
 Ports and Marine Legislation Amendment Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 24 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 25 **URBAN RENEWAL AUTHORITY VICTORIA AMENDMENT (DEVELOPMENT VICTORIA) BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the following amendments be agreed to:

1. Clause 18, after line 32 insert—

'(3) After section 49(2) of the Principal Act insert—

"(3) Development Victoria must consult with the municipal district in which the land is located before entering into an agreement under subsection (1) concerning the use or development of that land."'

NEW CLAUSE

2. Insert the following New Clause to follow Clause 19—

'A **Annual report**

In section 69 of the Principal Act—

(a) in paragraph (b), for "completed." substitute "completed; and";

(b) after paragraph (b) insert—

- "(c) in respect of each declared project being delivered by the Authority during the financial year, details of value creation and capture, including—
- (i) community services, benefits and infrastructure;
 - (ii) increase in social capital;
 - (iii) enhancements to public amenity;
 - (iv) commercial outcomes;
 - (v) productivity enhancements;
- (d) a report on the financial status of each declared project." —

(*Ms Allan*) — and, after debate —

Amendment No 1 — Amendment proposed:

Omit "consult with the municipal district in which the land is located before entering into an agreement under subsection (1) concerning the use or development of that land" and insert "not enter into an agreement under subsection (1) concerning the use or development of land without the consent of the municipal council for the municipal district in which the land is located" (*Mr Clark*) — and, after debate —

Question — That the words proposed to be omitted from amendment No 1 stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That amendment No 1 be agreed to — put and agreed to

Question — That amendment No 2 be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

26 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 1 and 2, be postponed until later this day.

27 **ATTENDANCE OF MINISTER BEFORE STANDING COMMITTEE OF THE LEGISLATIVE COUNCIL** — Order read for the consideration of the message from the Legislative Council.

Motion made and question — That this House refuses to grant leave to the Treasurer, the Honourable Tim Pallas, MP, to appear before the Legislative Council Economy and Infrastructure Committee to give evidence and answer questions in relation to the Committee's inquiry into infrastructure projects (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Message sent to the Legislative Council informing them accordingly.

28 **JURY DIRECTIONS AND OTHER ACTS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

29 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 118 — Wednesday 22 March 2017

1 The Speaker took the Chair and read the Prayer.

2 **CRIMES LEGISLATION AMENDMENT (PUBLIC ORDER) BILL 2017** — Mr Pakula obtained leave to bring in a Bill 'for an Act to amend the *Summary Offences Act 1966*, the *Control of Weapons Act 1990* and the *Crimes Act 1958* to provide Victoria Police with appropriate powers to deal with disturbances of public order and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Foster Primary School Rebuild — Requesting that the Legislative Assembly calls on the Government to fund the rebuild of the Foster Primary School, bearing 1089 signatures (*Mr O'Brien, Gippsland South*)

Pedestrian Crossing Main Street, Mornington — Requesting that the Legislative Assembly calls on the Government to install a pedestrian crossing on Main Street, between Nepean Highway and Cromwell Street, Mornington, bearing 256 signatures (*Mr Morris*)

Hazelwood Power Station — Requesting that the Legislative Assembly calls on the Government to honour its commitment to close Hazelwood Power Station gradually whilst advancing new baseload energy solutions, to adopt a pooled redundancy scheme for Hazelwood workers and support Latrobe Valley workers by retaining and creating local jobs, bearing 1801 signatures (*Mr Northe*)

Melbourne Water Land, Rosebud — Requesting that the Legislative Assembly calls on the Government to reject amendments to rezone the Melbourne Water land in Rosebud from a public to residential zone, bearing 89 signatures (*Mr Dixon*)

Gaffney and Sussex Streets Intersection, Coburg — Requesting that the Legislative Assembly calls on the Government to work with the relevant local government agencies and service providers to install traffic lights at the Gaffney Street and Sussex Street intersections in Coburg, bearing 16 signatures (*Ms Blandthorn*)

Heywood Town Centre Road Safety — Requesting that the Legislative Assembly calls on the Minister for Roads and Road Safety to approve a 40km/h speed limit on Edgar Street in the Heywood town centre and improve signage at the Mt Clay and Edgar Street intersection, bearing 627 signatures (*Ms Britnell*).

Petitions ordered to be tabled.

4 **PETITION — MELBOURNE WATER LAND, ROSEBUD** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — HEYWOOD TOWN CENTRE ROAD SAFETY** — Motion made and question — That the petition presented by the Member for South-West Coast be taken into consideration tomorrow (*Ms Britnell*) — put and agreed to.

6 **PETITION — GAFFNEY AND SUSSEX STREETS INTERSECTION, COBURG** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Blandthorn*) — put and agreed to.

7 **PETITION — PEDESTRIAN CROSSING MAIN STREET, MORNINGTON** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.

8 **PETITION — HAZELWOOD POWER STATION** — Motion made and question — That the petition presented by the Member for Morwell be taken into consideration tomorrow (*Mr Northe*) — put and agreed to.

9 **PETITION — FOSTER PRIMARY SCHOOL REBUILD** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

10 **DOCUMENTS**

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE — Mr Howard, Chair, presented a report from the Law Reform, Road and Community Safety Committee on the Inquiry into lowering the probationary driving age in Victoria to seventeen, together with appendices, extracts from the proceedings, a minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices, extracts from the proceedings and minority report published.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Clerk tabled the following documents in accordance with an Act of Parliament:

Auditor-General:

Effectiveness of the Environmental Effects Statement Process — Ordered to be published
Managing Victoria's Planning System for Land Use and Development — Ordered to be published.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Wrongs Amendment (Organisational Child Abuse) Bill 2016 without amendment.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Parliamentary Budget Officer Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

13 **STATEMENTS BY MEMBERS** — Statements by members were made.

14 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Law Reform, Road and Community Safety Committee's Report on the Inquiry into lowering the probationary driving age in Victoria to seventeen

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

15 **NATURAL GAS RESOURCES** — Motion made and question — That this House:

(1) condemns the Prime Minister for:

(a) not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity;

(b) making false claims about Victoria's natural gas resources;

(2) requests the Commonwealth to join us in funding geoscientific and consultative work on conventional gas —

(*Mr Noonan*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

16 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

17 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

18 **NATURAL GAS RESOURCES** — Debate continued on question — That this House:

- (1) condemns the Prime Minister for:
 - (a) not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity;
 - (b) making false claims about Victoria's natural gas resources;
- (2) requests the Commonwealth to join us in funding geoscientific and consultative work on conventional gas.

Business having been interrupted at 2.00 pm under sessional orders.

19 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

20 **NATURAL GAS RESOURCES** — Debate continued on question — That this House:

- (1) condemns the Prime Minister for:
 - (a) not respecting Victoria's prohibition on unconventional gas and moratorium on onshore conventional gas activity;
 - (b) making false claims about Victoria's natural gas resources;
- (2) requests the Commonwealth to join us in funding geoscientific and consultative work on conventional gas — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbinis; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

21 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 5 April 2017.

- 22 **LAND LEGISLATION AMENDMENT BILL 2017** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Motion made and question proposed — That the debate be adjourned for two weeks (*Mr Wynne*) — and, after debate —

Amendment proposed — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until consideration of the motion by the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed' (*Mr Pesutto*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until Wednesday 5 April 2017.

- 23 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY MINE REHABILITATION COMMISSIONER) BILL 2017** — *Mr Noonan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Noonan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 5 April 2017.

- 24 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.33 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 119 — Thursday 23 March 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Commission for Children and Young People — The same four walls: inquiry into the use of isolation, separation and lockdowns in the Victorian youth justice system — Ordered to be published
- Essential Services Commission — The Network Value of Distributed Generation: Distributed Generation Inquiry Stage 2 Final Report
- Financial Management Act 1994* — Report from the Minister for Agriculture that she had received the Report 2015–16 of the Northern Victoria Fresh Tomato Industry Development Committee
- Statutory Rule under the *Pipelines Act 2005* — SR 9
- Victorian Environmental Assessment Council — Conservation Values of State Forests Assessment Report
- Victorian Environmental Assessment Council Act 2001* — Request and statement under s 16.
- 3 **AUDIT COMMITTEE REPORT** — Motion made, by leave, and question — That the Parliament of Victoria Review of Members' Second Residence Allowance — Phase 1 be tabled (*Ms Allan*) — put, after debate, and agreed to.
- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 2 May 2017 (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

5 **STATEMENTS BY MEMBERS** — Statements by members were made.

6 **CRIMES LEGISLATION AMENDMENT (PUBLIC ORDER) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 6 April 2017.

7 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 6 April 2017.

8 **DRUGS, POISONS AND CONTROLLED SUBSTANCES MISCELLANEOUS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

11 **DRUGS, POISONS AND CONTROLLED SUBSTANCES MISCELLANEOUS AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate continued on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 21 March 2017 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **JURY DIRECTIONS AND OTHER ACTS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **DRUGS, POISONS AND CONTROLLED SUBSTANCES MISCELLANEOUS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

- 16 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.24 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
No 120

No 120 — Tuesday 2 May 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **STATE TAXATION ACTS AMENDMENT BILL 2017** — Motion made and question — That Mr Pallas have leave to bring in a Bill 'for an Act to make miscellaneous amendments to the *Duties Act 2000*, the *First Home Owner Grant Act 2000*, the *Land Tax Act 2005*, the *Payroll Tax Act 2007*, the *Planning and Environment Act 1987*, the *Taxation Administration Act 1997*, the *Unclaimed Money Act 2008*, the *Valuation of Land Act 1960* and certain other Acts as a consequence of the amendments made to the *Valuation of Land Act 1960* and for other purposes' — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Motion made and question — That this Bill be now read a first time (*Mr Pallas*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Motion made and question — That this Bill be read a second time tomorrow (*Mr Pallas*).

Amendment proposed — That the word 'tomorrow' be omitted with the view of inserting in its place the words 'after consideration of the motion by the Leader of the Opposition to establish a select committee on the conduct of the former Speaker and Deputy Speaker has been completed' (*Mr Clark*) — and, after debate —

Question — That the word proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

- 5 **PARLIAMENTARY AND ELECTORAL LEGISLATION AMENDMENT (ENDING LABOR'S RORTS) BILL 2017** — Motion made and question — That Mr Guy have leave to bring in a Bill 'for an Act to amend the *Parliamentary Salaries and Superannuation (Allowances) Regulations 2013* and the *Members of Parliament (Register of Interests) Act 1978* in relation to the second residence allowance and to amend the *Electoral Act 2002* to require ballot-papers for an Assembly election to specify the suburb or locality in which is located the address in respect of which a candidate is enrolled and for other purposes' — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

East Gippsland Timber Workers — Requesting that the Legislative Assembly calls on the Government to direct VicForests to immediately review timber resource allocations in order to secure jobs for East Gippsland timber workers, bearing 1423 signatures (*Mr Bull, Gippsland East*)

Maryborough to Ararat Railway Crossing Closures — Requesting that the Legislative Assembly calls on the Government to keep the roads open by not closing level crossings along the Maryborough to Ararat railway line, bearing 480 signatures (*Ms Staley*)

Youth Detention Centre in Werribee South — Requesting that the Legislative Assembly calls on the Government to — (a) abandon its plans for a Youth Detention Centre in Werribee South; (b) meet with the representatives from both Wyndham City Council and Wyndham's Voice Committee to establish a consultation process; and (c) make planning documentation and assessments publicly available, bearing 24636 signatures (*Mr Pallas*).

Petitions ordered to be tabled.

- 7 **PETITION — EAST GIPPSLAND TIMBER WORKERS** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.

- 8 **PETITION — MARYBOROUGH TO ARARAT RAILWAY CROSSING CLOSURES** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

- 9 **DOCUMENTS**

AUDIT COMMITTEE REPORTS — The Parliament of Victoria Review of Members' Second Residence Allowance — Phase 2 and Phase 3 (two documents) tabled by leave (*the Speaker*).

Ordered to be published.

UNIVERSITY OF DIVINITY — Report 2016 tabled by leave (*Mr Merlino*).

BUDGET PAPERS 2017–18 —

Budget Paper No 1 — Treasurer's Speech
 Budget Paper No 4 — State Capital Program
 Budget Overview
 Budget Information Paper — Rural and Regional
 Budget Information Paper — Suburban
 Budget Information Paper — Gender Equality Statement

tabled by leave (*Mr Pallas*).

ELECTORAL MATTERS COMMITTEE — Ms Asher, Chair, presented a report from the Electoral Matters Committee on the Inquiry into electronic voting, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 5 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Legislation Amendment (Public Order) Bill 2017
 Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017
 Family Violence Protection Amendment (Information Sharing) Bill 2017
 Land Legislation Amendment Bill 2017
 Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017
 Worksafe Legislation Amendment Bill 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Bendigo Kangan Institute — Report 2016

Box Hill Institute of TAFE — Report 2016

Centre for Adult Education — Report 2016

Chisholm Institute — Report 2016

Deakin University — Report 2016

Federation University Australia — Report 2016

Financial Management Act 1994:

Budget Paper No 2 — Strategy and Outlook 2017–18

Budget Paper No 3 — Service Delivery 2017–18

Budget Paper No 5 — Statement of Finances 2017–18 incorporating Quarterly Financial Report No 3
 Report from the Minister for Energy, Environment and Climate Change that she had not received the reports 2015–16 of the:

Falls Creek Alpine Resort Management Board, together with an explanation for the delay

Lake Mountain Alpine Resort Management Board, together with an explanation for the delay

Mount Baw Baw Alpine Resort Management Board, together with an explanation for the delay

Mount Buller and Mount Stirling Alpine Resort Management Board, together with an explanation for the delay

Gordon Institute of TAFE — Report 2016

Goulburn Ovens Institute of TAFE — Report 2016

Holmesglen Institute — Report 2016

Independent Broad-based Anti-corruption Commission — Operation Nepean: An investigation into the conduct of former employee of Dame Phyllis Frost Centre, Jeff Finlow — Ordered to be published

Interpretation of Legislation Act 1984:

Notice under s 32(3)(a)(iii) in relation to Statutory Rule 9 (*Gazette G13, 30 March 2017*)

Notice under s 32(4)(a)(iii) in relation to Waste Management Policy (Ships' Ballast Water) 2004 and Statutory Rule 59/2006 (*Gazette G14, 6 April 2017*)

La Trobe University — Report 2016

Melbourne Polytechnic — Report 2016

Melbourne University — Report 2016

Members of Parliament (Register of Interests) Act 1978 — Summary of Variations notified between 7 December 2016 and 28 April 2017 — Ordered to be published

Monash University — Report 2016

Mount Hotham Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Ombudsman — Apologies — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C200

Bass Coast — C148

Boroondara — C236, C239, C259

Cardinia — C224

Colac Otway — C91

Frankston — C115

Glen Eira — C147, C148

Greater Shepparton — C112

Macedon Ranges — C110 Part 1

Manningham — C111

Mildura — C82

Mitchell — C118

Moreland — C158

Northern Grampians — C54

Port Phillip — C145

Stonnington — C233

Strathbogie — C75

Surf Coast — C106

Swan Hill — C59

Victoria Planning Provisions — VC110, VC134, VC135, VC136

Wodonga — C124

Wyndham — C190

Yarra — C198, C229

Professional Standards Act 2003:

The Law Society of South Australia Professional Standards Scheme under s 14 (*Gazette G17, 27 April 2017*)

The South Australian Bar Association Inc Professional Standards Scheme under s 14 (*Gazette G17, 27 April 2017*)

Racing Act 1958 — Notification of modification to the Constitution of Racing Victoria Ltd under s 3B

RMIT University — Report 2016

South West Institute of TAFE — Report 2016

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SRs 19, 20

Domestic Building Contracts Act 1995 — SR 18

Drugs, Poisons and Controlled Substances Act 1981 — SR 13

Fisheries Act 1995 — SRs 10, 11

Gambling Regulation Act 2003 — SR 12

National Parks Act 1975 — SR 16

Powers of Attorney Act 2014 — SR 17

Supreme Court Act 1986 — SRs 14, 15

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 9, 10, 11, 12, 13, 17, 18, 20

Documents under s 16B in relation to:

Environment Protection Act 1970 — Variation to the Protocol for Environmental Management — Domestic Ballast Water Management in Victorian State Waters

Estate Agents Act 1980:

Determination of the Melbourne Metropolitan Area

Guidelines for Selecting Comparable Property Sales

Workplace Injury Rehabilitation and Compensation Act 2013 — Workers' Compensation (Corresponding Laws) Order

Sunraysia Institute of TAFE — Report 2016

Swinburne University of Technology — Report 2016

Victoria University — Report 2016

Wildlife Act 1975:

Wildlife (Prohibition of Game Hunting) Notice No 4/2017 (*Gazette S80, 21 March 2017*)

Wildlife (Prohibition of Game Hunting) Notice Nos 8, 10/2017 (*Gazette S108, 3 April 2017*)

William Angliss Institute of TAFE — Report 2016.

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Building Legislation Amendment (Consumer Protection) Act 2016 — Sections 3, 6 to 13, 14(2), 15 and 59 to 68 — 26 April 2017 (*Gazette S94, 27 March 2017*)

Food Amendment (Kilojoule Labelling Scheme and Other Matters) Act 2017 — Parts 2 and 3 — 1 May 2018 (*Gazette S111, 4 April 2017*)

National Domestic Violence Order Scheme Act 2016 — Parts 1 and 9 — 5 April 2017 (*Gazette S111, 4 April 2017*)

Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Act 2016 — Remaining provisions — 10 April 2017 (*Gazette S111, 4 April 2017*)

Transport Integration Amendment (Head, Transport for Victoria and Other Governance Reforms) Act 2017 — Whole Act (other than ss 1 and 2) — 12 April 2017 (Gazette S117, 12 April 2017)
Urban Renewal Authority Victoria Amendment (Development Victoria) Act 2017 — Whole Act — 1 April 2017 (Gazette S94, 27 March 2017)
Working with Children Amendment Act 2016 — Parts 1 and 3 — 1 May 2017 (Gazette S111, 4 April 2017).

- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Education and Care Services National Law Amendment Bill 2017
 Victorian Planning Authority Bill 2016.

- 11 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Speaker announced that he had received the following notification from the Governor:

6 April 2017

To: Speaker, Legislative Assembly

From: The Honourable Linda Dessau AC
 Governor of Victoria

The Governor transmits to the Legislative Assembly notification of the resignation of the Honourable Steve Herbert, Member for Northern Victoria Region in the Legislative Council.

Linda Dessau AC
 Governor of Victoria.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 27 March 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Education and Care Services National Law Amendment Bill 2017
 Urban Renewal Authority Victoria Amendment (Development Victoria) Bill 2016
 Victorian Planning Authority Bill 2016
 Wrongs Amendment (Organisational Child Abuse) Bill 2016.

- 13 **MESSAGES FROM THE ADMINISTRATOR, AS THE GOVERNOR'S DEPUTY** — Recommending appropriations for the purposes of the following bills:

Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017
 WorkSafe Legislation Amendment Bill 2017.

- 14 **MESSAGE FROM THE ADMINISTRATOR, AS THE GOVERNOR'S DEPUTY** — Recommending an appropriation for the purposes of the Appropriation (2017–2018) Bill 2017, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2017/2018.

Estimates ordered to be tabled.

- 15 **APPROPRIATION (2017–2018) BILL 2017** — Mr Pallas obtained leave to bring in a Bill *for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2017/2018 and for other purposes*; and, after debate, the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 16 **MESSAGE FROM THE ADMINISTRATOR, AS THE GOVERNOR'S DEPUTY** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2017–2018) Bill 2017, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2017/2018.

Estimates ordered to be tabled.

- 17 **APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017** — Ms Allan obtained leave to bring in a Bill '*for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2017/2018 and for other purposes*'; and, after debate, the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 18 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 9 May 2017 (*Ms Allan*) — put, after debate, and agreed to.

- 19 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 7.00 pm today:

Crimes Legislation Amendment (Public Order) Bill 2017
Statute Law Revision Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Wells.

Question agreed to.

- 20 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Creative Victoria Bill 2016
Lord Mayor's Charitable Foundation Bill 2016.

- 21 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 22 **CRIMES LEGISLATION AMENDMENT (PUBLIC ORDER) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Consumer Acts Amendment Bill 2016
Statute Law Repeals Bill 2014.

- 24 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 7 inclusive, be postponed until later this day.

- 25 **STATUTE LAW REVISION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 26 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House today had expired.

- 27 **CRIMES LEGISLATION AMENDMENT (PUBLIC ORDER) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

A division having been called, the Speaker advised that there was only one vote for the 'noes' and, accordingly, declared the question agreed to. Mr Hibbins asked that his dissent be recorded.

Bill sent to the Legislative Council and their agreement requested.

- 28 **STATUTE LAW REVISION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 7.06 pm under sessional orders.

- 29 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.30 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 121, 122 and 123

No 121 — Tuesday 9 May 2017

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **CORRECTIONS LEGISLATION MISCELLANEOUS AMENDMENT BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to make miscellaneous amendments to the **Corrections Act 1986**, the **Children, Youth and Families Act 2005** and the **Serious Sex Offenders (Detention and Supervision) Act 2009** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **CITY OF GREATER GEELONG AMENDMENT BILL 2017** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to amend the **City of Greater Geelong Act 1993** to make amendments to the method of election of the Mayor and Deputy Mayor of Greater Geelong City Council and the constitution of that Council and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

6 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

High Security Detention Centre — Requesting that the Legislative Assembly calls on the Government to abandon the proposed project for a \$228 million high security detention centre in favour of funding rehabilitation programs designed to break the cycle of youth crime, bearing 26 signatures (*Mr Clark*)

Reservoir Neighbourhood House Program — Requesting that the Legislative Assembly calls on the Government to support an increase in coordination program funding for the Reservoir Neighbourhood House to 40 hours per week so it can be open and staffed Monday to Friday, bearing 453 signatures (*Mr Scott*).

Petitions ordered to be tabled.

7 **DOCUMENTS**

GEELONG CITIZENS JURY FINAL REPORT AND THE GOVERNMENT RESPONSE — Tabled by leave (*Ms Hutchins*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 6 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2017–2018) Bill 2017
Appropriation (Parliament 2017–2018) Bill 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Drugs, Poisons and Controlled Substances Act 1981 — Report 2016 under s 96

Financial Management Act 1994:

Report from the Minister for Training and Skills that she had not received the reports 2015 and 2016 of Federation Training, together with an explanation for the delay

Report from the Minister for Training and Skills that she had not received the Report 2016 of Wodonga Institute of TAFE, together with an explanation for the delay

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Bayside — C148

Boroondara — C230

Brimbank — GC46

Frankston — C113

Greater Bendigo — C224

Greater Dandenong — C191

Hume — GC46

Knox — C145

Melbourne — C273

Moira — C84

Moorabool — C58

Port Phillip — C117

South Gippsland — C113

Stonnington — C225, C240

Whittlesea — C175

Yarra — C173 Part 2, C197 Part 2, C240

Yarra Ranges — C162

Statutory Rules under the following Acts:

Borrowing and Investment Powers Act 1987 — SR 25

County Court Act 1958 — SR 21

Dangerous Goods Act 1985 — SR 22

Equipment (Public Safety) Act 1994 — SR 23

Occupational Health and Safety Act 2004 — SR 22

Supported Residential Services (Private Proprietors) Act 2010 — SR 24

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 14, 15, 19, 21, 22, 23, 24, 25.

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Small Business Commission Bill 2016 without amendment.
- 9 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow each member to speak on the motion in relation to the 2017–18 budget papers for a maximum of 15 minutes (*Ms Allan*) — put and agreed to.
- 10 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 11 May 2017:

Appropriation (2017–2018) Bill 2017
 Appropriation (Parliament 2017–2018) Bill 2017
 Family Violence Protection Amendment (Information Sharing) Bill 2017
 Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **STATE TAXATION ACTS AMENDMENT BILL 2017** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Mr Pallas made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 23 May 2017.

13 **APPROPRIATION (2017–2018) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

14 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 7.20 pm.

No 122 — Wednesday 10 May 2017

1 The Speaker took the Chair and read the Prayer.

2 **SEX OFFENDERS REGISTRATION AMENDMENT (MISCELLANEOUS) BILL 2017** — Ms Neville obtained leave to bring in a Bill *for an Act to make miscellaneous amendments to the Sex Offenders Registration Act 2004, to amend the Crimes Act 1958 to provide for the taking of DNA samples from sex offenders, to make consequential amendments to the Criminal Procedure Act 2009, the Serious Sex Offenders (Detention and Supervision) Act 2009 and the Working with Children Act 2005 and for other purposes*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Red Hill Consolidated School — Requesting that the Legislative Assembly calls on the Government to fund \$2.5 million in capital works for building upgrades and maintenance at the Red Hill Consolidated School, bearing 143 signatures (*Mr Dixon*)

Gaffney and Sussex Streets Intersection, Coburg — Requesting that the Legislative Assembly calls on the Government to work with the relevant local government agencies and service providers to install traffic lights at the Gaffney Street and Sussex Street intersection in Coburg, bearing 59 signatures (*Ms Blandthorn*).

Petitions ordered to be tabled.

4 **PETITION — RED HILL CONSOLIDATED SCHOOL** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — GAFFNEY AND SUSSEX STREETS INTERSECTION, COBURG** — Motion made and question — That the petition presented by the Member for Pascoe Vale be taken into consideration tomorrow (*Ms Blandthorn*) — put and agreed to.

6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Public Participation and Community Engagement: Local Government Sector — Ordered to be published

Public Participation in Government Decision-Making — Ordered to be published

Statutory Rule under the *Evidence (Miscellaneous Provisions) Act 1958* — SR 26

Subordinate Legislation Act 1994 — Document under s 15 in relation to Statutory Rule 26.

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Family Violence Protection Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Law Reform, Road and Community Safety Committee's Report on the Inquiry into lowering the probationary driving age in Victoria to seventeen

Electoral Matters Committee's Report on the Inquiry into electronic voting

Accountability and Oversight Committee's Report on the Victorian Oversight Agencies 2015–16

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

- 10 **CORRECTIONS LEGISLATION MISCELLANEOUS AMENDMENT BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 24 May 2017.

- 11 **CITY OF GREATER GEELONG AMENDMENT BILL 2017** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Motion made and question — That debate be adjourned until tomorrow (*Ms Hutchins*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 12 **FAMILY VIOLENCE PROTECTION AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

Business having been interrupted at 11.00 am under sessional orders.

- 13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

Member named and suspended — The Member for Bass (*Mr Paynter*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Bass (*Mr Paynter*) be suspended from the service of the House for the remainder of the week's sitting (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Mr Paynter accordingly withdrew from the Chamber.

- 14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 15 **APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — CFA ARRANGEMENTS** — The House was informed that Mr Battin had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the continual undermining of the CFA by the Andrews Labor Government, including:

- (1) The disrespect shown by the Premier Daniel Andrews to all CFA volunteers;
- (2) The Andrews Government's caving in to the United Firefighters Union demands to take control of the CFA; and

- (3) The dangers to all Victorians from a possible breakup of the CFA, which would undermine surge capacity for fighting fires and put Victorian families at risk.'

Mr Battin addressed the House — Discussion followed.

- 17 **APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Freedom of Information Amendment (Office of the Victorian Information Commissioner) Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 19 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY MINE REHABILITATION COMMISSIONER) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Dimopoulos*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **ROAD SAFETY ROAD RULES 2009 (OVERTAKING BICYCLES) BILL 2015** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the Road Safety Road Rules 2009 in relation to the overtaking of bicycles and for other purposes*'.

Motion made and question — That this bill be now read a first time (*Mr Hibbins*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 21 **FREEDOM OF INFORMATION AMENDMENT (OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Mr Pakula*).

Amendment proposed — That all the words after 'amendments' be omitted with the view of inserting in their place the words 'be deferred indefinitely' (*Mr Clark*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 123 — Thursday 11 May 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Board Performance — Ordered to be published
Managing School Infrastructure — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 16.

- 3 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 10 May 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Consumer Acts Amendment Bill 2016
Creative Victoria Bill 2016
Lord Mayor's Charitable Foundation Bill 2016
Small Business Commission Bill 2016
Statute Law Repeals Bill 2014.

- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Wednesday 24 May 2017 (*Ms Neville*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

5 **STATEMENTS BY MEMBERS** — Statements by members were made.

6 **SEX OFFENDERS REGISTRATION AMENDMENT (MISCELLANEOUS) BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 25 May 2017.

7 **FREEDOM OF INFORMATION AMENDMENT (OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER) BILL 2016** — Order read for resuming debate on question — That the amendments be agreed to — *and on the amendment* — That all the words after 'amendments' be omitted with the view of inserting in their place the words 'be deferred indefinitely'; debate resumed.

Motion made and question — That the question be now put (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the words proposed to be omitted stand part of the question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 8 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 11 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **APPROPRIATION (2017–2018) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Electricity Safety Amendment (Bushfire Mitigation Civil Penalties Scheme) Bill 2017 without amendment.

- 14 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY MINE REHABILITATION COMMISSIONER) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 568*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 9 May 2017 had expired.

Question — That clause 5 stand part of the bill — put and agreed to.

Question — That clauses 6 to 11 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **APPROPRIATION (2017–2018) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.25 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 121, 122 and 123

No 123 — Thursday 11 May 2017

**MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT (LATROBE VALLEY
MINE REHABILITATION COMMISSIONER) BILL 2017**

Clauses 1 to 4 agreed to.

Clause 5 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 9 May 2017 had expired (for remaining stages see p 567).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 124 and 125

No 124 — Wednesday 24 May 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF WILLIAM THOMAS EBERY** — The Speaker announced the death of William Thomas Ebery, Member of the Legislative Assembly for the electoral district of Midlands from 1973 to 1985; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **JUSTICE LEGISLATION AMENDMENT (PROTECTIVE SERVICES OFFICERS AND OTHER MATTERS) BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend various Acts in relation to powers of protective services officers on duty at designated places, to provide for psychological fitness for duty assessments for police officers and protective services officers, to facilitate attendance of children held in police custody to and from courts and youth justice facilities, to amend the **Second-Hand Dealers and Pawnbrokers Act 1989** to regulate payments for scrap metal and to provide for enforcement, to amend the **Corrections Act 1986** to extend to police custody officer supervisors the powers under Part 9A of that Act, to amend the **Victoria Police Act 2013** to establish the role of police custody officer supervisors in police gaols, to make consequential and other technical amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **JUSTICE LEGISLATION AMENDMENT (COURT SECURITY, JURIES AND OTHER MATTERS) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Appeal Costs Act 1998**, the **Children, Youth and Families Act 2005**, the **Confiscation Act 1997**, the **County Court Act 1958**, the **Court Security Act 1980**, the **Court Services Victoria Act 2014**, the **Courts (Case Transfer) Act 1991**, the **Judicial College of Victoria Act 2001**, the **Judicial Entitlements Act 2015**, the **Juries Act 2000**, the **Land Acquisition and Compensation Act 1986**, the **Legal Profession Uniform Law Application Act 2014**, the **Magistrates' Court Act 1989** and the **Victorian Civil and Administrative Tribunal Act 1998**, to make miscellaneous minor amendments to other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **BAIL AMENDMENT (STAGE ONE) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Bail Act 1977** to make fresh provision about the circumstances in which bail may be granted or refused and who may grant bail, to amend the **Family Violence Protection Act 2008**, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Crimes Act 1958** in relation to recruiting children to engage in criminal activity, to amend the **Children, Youth and Families Act 2005** in relation to the hearing of proceedings, sentencing, the removal to and from, and detention of, persons at remand centres, youth residential centres and youth justice centres, and to deal with offences committed at those centres, to further provide for management of detainees and youth offenders, to provide for the increase of penalties for certain offences, to make provision in relation to information sharing, to amend the **Sentencing Act 1991** and other Acts in relation to serious youth offences, to amend the **Corrections Act 1986** and other Acts in relation to remand, and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **SENTENCING AMENDMENT (SENTENCING STANDARDS) BILL 2017** — Mr Pakula obtained leave to bring in a Bill *for an Act to amend the Sentencing Act 1991 to repeal the baseline sentencing scheme, provide for standard sentences for indictable offences and enhance the scheme in that Act for the giving of guideline judgments, to amend the Crimes Act 1958 and the Drugs, Poisons and Controlled Substances Act 1981 to remove references to the baseline sentencing scheme and fix a standard sentence for certain offences against those Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

8 **DISABILITY AMENDMENT BILL 2017** — Mr Foley obtained leave to bring in a Bill *for an Act to amend the Disability Act 2006 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

9 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017** — Mr Merlino obtained leave to bring in a Bill *for an Act to provide a rebuttable presumption for career firefighters and volunteer firefighters suffering from specified forms of cancer for the purposes of claiming compensation under the Workplace Injury Rehabilitation and Compensation Act 2013, to amend the Metropolitan Fire Brigades Act 1958, the Country Fire Authority Act 1958 and certain other Acts to reform fire services and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Croydon Station Parking — Requesting that the Legislative Assembly calls on the Government to build a multi-storey carpark at Croydon Station, bearing 388 signatures (*Mr Hodgett*).

Ordered to be tabled.

11 **DOCUMENTS**

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the 2015–16 Financial and Performance Outcomes, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 7 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

City of Greater Geelong Amendment Bill 2017
 Corrections Legislation Miscellaneous Amendment Bill 2017
 Sex Offenders Registration Amendment (Miscellaneous) Bill 2017
 State Taxation Acts Amendment Bill 2017
 Worksafe Legislation Amendment Bill 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — ICT Strategic Planning in the Health Sector — Ordered to be published

Crimes Act 1958 — Instrument of Authorisation under s 464Z

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Alexandra Park

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 22, 23 (*Gazette G19, 11 May 2017*)

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C258, C260

East Gippsland — C130

Maroondah — C109

Mornington Peninsula — C205

Queenscliffe — C27

South Gippsland — C88

Whitehorse — C195

Whittlesea — C197

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR 29

Environment Protection Act 1970 — SR 28

Transfer of Land Act 1958 — SR 27

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 27, 28

Documents under s 16B in relation to:

Housing Act 1983 — Director of Housing determinations under s 142E

Meat Industry Act 1993:

Determining licence categories and fixing fees for meat processing facility licences

Fixing fees for a meat transport vehicle licence

Determining classes of licences and fixing fees for seafood safety licences.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

Victorian Planning Authority Act 2017 — Whole Act — 1 July 2017 (*Gazette S150, 16 May 2017*).

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Building Amendment (Enforcement and Other Measures) Bill 2016 without amendment.

13 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 16 May 2017

Electricity Safety Amendment (Bushfire Mitigation Civil Penalties Scheme) Bill 2017

Family Violence Protection Amendment Bill 2017

Freedom of Information Amendment (Office of the Victorian Information Commissioner) Bill 2016

On 23 May 2017

Building Amendment (Enforcement and Other Measures) Bill 2016.

- 14 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the State Taxation Acts Amendment Bill 2017.
- 15 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — The Speaker announced that he had received the resignation of Mr O'Brien (*Gippsland South*) from the Public Accounts and Estimates Committee, effective from 22 May 2017.
- 16 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That Ms Staley be appointed a member of the Public Accounts and Estimates Committee (*Ms Allan*) — put and agreed to.
- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 25 May 2017:

City of Greater Geelong Amendment Bill 2017
 Corrections Legislation Miscellaneous Amendment Bill 2017
 Sex Offenders Registration Amendment (Miscellaneous) Bill 2017
 State Taxation Acts Amendment Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.
- Business having been interrupted at 11.00 am under sessional orders.*
- 20 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 21 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 22 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements continued on the following Committee Reports:

Electoral Matters Committee's Report on the Inquiry into electronic voting

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes.

- 23 **STATE TAXATION ACTS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words:

'this House refuses to read this Bill a second time until the Andrews Labor Government has:

- (1) fully consulted with local councils regarding the increased costs, loss of jobs and conflict of interest consequential upon centralising property valuation authority with the Valuer-General;
- (2) fully consulted with road safety experts and Victorian motor vehicle retailers regarding the impact of the proposed increase in duty on new and near new motor vehicles on road safety, local car retailers and purchasers;
- (3) fully consulted with all Victorians affected by proposed new and increased taxes on:
 - (a) transfers of certain property between spouses;
 - (b) owners of certain residential properties in parts of Melbourne who do not use such property in accordance with the Government's approval;
 - (c) people who wish to purchase new properties off the plan who will be required to pay additional duty' (*Mr O'Brien, Malvern*) — and, after debate —

Business having been interrupted at 2.00 pm under sessional orders.

- 24 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FIREFIGHTERS' CONTRIBUTION** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House:

- (1) acknowledges the critical contribution of all firefighters — career and volunteer — as our population and environment change; and
- (2) condemns the Opposition Leader and the Shadow Emergency Services Minister for misleading Victorians in an attempt to divide firefighters who saved lives during Australia's worst ever bushfire.'

Mr Merlino addressed the House — Discussion followed.

- 25 **STATE TAXATION ACTS AMENDMENT BILL 2017** — Debate resumed on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words:

'this House refuses to read this Bill a second time until the Andrews Labor Government has:

- (1) fully consulted with local councils regarding the increased costs, loss of jobs and conflict of interest consequential upon centralising property valuation authority with the Valuer-General;
- (2) fully consulted with road safety experts and Victorian motor vehicle retailers regarding the impact of the proposed increase in duty on new and near new motor vehicles on road safety, local car retailers and purchasers;
- (3) fully consulted with all Victorians affected by proposed new and increased taxes on:
 - (a) transfers of certain property between spouses;
 - (b) owners of certain residential properties in parts of Melbourne who do not use such property in accordance with the Government's approval;
 - (c) people who wish to purchase new properties off the plan who will be required to pay additional duty.'

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

26 **CITY OF GREATER GEELONG AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Morris announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 27 **CORRECTIONS LEGISLATION MISCELLANEOUS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 28 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 125 — Thursday 25 May 2017

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Red Hill Consolidated School — Requesting that the Legislative Assembly calls on the Government to fund \$2.5 million in capital works for building upgrades and maintenance at the Red Hill Consolidated School, bearing 40 signatures (*Mr Dixon*).

Ordered to be tabled.

- 3 **PETITION — RED HILL CONSOLIDATED SCHOOL** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 4 **PETITION — CROYDON STATION PARKING** — Motion made and question — That the petition presented by the Member for Croydon on 24 May 2017 be taken into consideration tomorrow (*Mr Hodgett*) — put and agreed to.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 6 June 2017 (*Ms Allan*) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Statements by members were made.

7 **CENSURE OF MEMBER FOR GEMBROOK** — Motion made and question — That this House:

- (1) Censures the Member for Gembrook for his disgraceful comments about Black Saturday firefighters;
- (2) Calls on the Member to resign, or be dismissed, from the frontbench;
- (3) Notes that if there is no consequence, this confirms that his conduct is of a standard acceptable to the Opposition —

(*Mr Merlino*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **CENSURE OF MEMBER FOR GEMBROOK** — Debate continued on question — That this House:

- (1) Censures the Member for Gembrook for his disgraceful comments about Black Saturday firefighters;
- (2) Calls on the Member to resign, or be dismissed, from the frontbench;
- (3) Notes that if there is no consequence, this confirms that his conduct is of a standard acceptable to the Opposition —

Amendment proposed — That in paragraph (1), all the words after 'Member for' be omitted with the view of inserting in their place 'Monbulk for his disgraceful comments about PSOs, Joe Buffone, VFBV, CFA volunteers, Lucinda Nolan, the Member for Brunswick and school parents' and in paragraph (3), 'Opposition' be omitted with the view of inserting in its place 'Premier' (*Mr Pesutto*) — and, after debate —

Motion made and question — That the question be now put (*Mr Scott*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the words proposed to be omitted stand part of the question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 11 **JUSTICE LEGISLATION AMENDMENT (PROTECTIVE SERVICES OFFICERS AND OTHER MATTERS) BILL 2017** — Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 8 June 2017.

- 12 **JUSTICE LEGISLATION AMENDMENT (COURT SECURITY, JURIES AND OTHER MATTERS) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Mr Pakula made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 8 June 2017.

- 13 **BAIL AMENDMENT (STAGE ONE) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 6 June 2017.

- 14 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Motion made and question — That the debate be adjourned until Wednesday 7 June 2017 (*Mr Pakula*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 15 **SENTENCING AMENDMENT (SENTENCING STANDARDS) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 8 June 2017.

- 16 **DISABILITY AMENDMENT BILL 2017** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 8 June 2017.

- 17 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Battin*) — put and agreed to.

Motion made and question — That the debate be adjourned until Tuesday 6 June 2017 (*Mr Merlino*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Steve Herbert and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 7 June 2017 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 7 June 2017 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Steve Herbert.

Message sent to the Legislative Council informing them accordingly.

- 19 **CORRECTIONS LEGISLATION MISCELLANEOUS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Eren*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **SEX OFFENDERS REGISTRATION AMENDMENT (MISCELLANEOUS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 24 May 2017 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **CITY OF GREATER GEELONG AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **STATE TAXATION ACTS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Andrews Labor Government has:

- (1) fully consulted with local councils regarding the increased costs, loss of jobs and conflict of interest consequential upon centralising property valuation authority with the Valuer-General;
- (2) fully consulted with road safety experts and Victorian motor vehicle retailers regarding the impact of the proposed increase in duty on new and near new motor vehicles on road safety, local car retailers and purchasers;
- (3) fully consulted with all Victorians affected by proposed new and increased taxes on:
 - (a) transfers of certain property between spouses;
 - (b) owners of certain residential properties in parts of Melbourne who do not use such property in accordance with the Government's approval;
 - (c) people who wish to purchase new properties off the plan who will be required to pay additional duty'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Richardson (*Northcote*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Ms Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 23 **CORRECTIONS LEGISLATION MISCELLANEOUS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 24 **STATE TAXATION ACTS AMENDMENT BILL 2017** — The Speaker announced he had received a report from the Clerk that he has made the following correction in the Bill:

In Clause 46(1), he has inserted '(a)' so that it now correctly refers to section 218(1)(a)(ia) of the *Duties Act 2000*.

Business having been interrupted at 5.12 pm under sessional orders.

- 25 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.41 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 126, 127 and 128

No 126 — Tuesday 6 June 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF MARGARET ELIZABETH RAY** — The Speaker announced the death of Margaret Elizabeth Ray, Member of the Legislative Assembly for the Electoral District of Box Hill from 1982 to 1992; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **DEATH OF ANTHONY FOSTER** — By leave, members made statements remembering the life of Anthony Foster.
- 4 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 5 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 6 **OATHS AND AFFIRMATIONS BILL 2017** — Mr Pakula obtained leave to bring in a Bill *'for an Act to re-enact and modernise the law relating to oaths, affirmations, affidavits and statutory declarations, to establish a scheme for the certification of copies of documents, to repeal Divisions 1 to 11 of Part IV and Part V and repeal or amend other provisions of the Evidence (Miscellaneous Provisions) Act 1958, to make consequential amendments to the Evidence Act 2008, the Constitution Act 1975, the Interpretation of Legislation Act 1984 and other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **ENVIRONMENT PROTECTION BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill *'for an Act to provide for the continuation of the Environment Protection Authority, to specify a new objective of the Authority, to provide for a new governance structure of the continued Authority, to provide for the Governing Board of the Authority and to make consequential amendments to the Environment Protection Act 1970 and the Public Administration Act 2004 and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill *'for an Act to amend the Conservation, Forests and Lands Act 1987, the Crown Land (Reserves) Act 1978, the Environment Protection Act 1970, the Interpretation of Legislation Act 1984, the Mineral Resources (Sustainable Development) Act 1990, the National Parks Act 1975, the Reference Areas Act 1978, the Royal Botanic Gardens Act 1991, the Victorian Environmental Assessment Council Act 2001 and the Zoological Parks and Gardens Act 1995 to provide for the addition of the Anglesea Heath to the Great Otway National Park and to improve the administration of Crown land and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

Possum Control Measures — Requesting that the Legislative Assembly calls on the Government to instigate action to minimise the property damage and disturbance to neighbourhood amenity caused by large possum populations in the City of Bayside and across metropolitan Melbourne, bearing 44 signatures (*Mr Thompson, Sandringham*).

Ordered to be tabled.

10 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 8 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Bail Amendment (Stage One) Bill 2017
 Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017
 Corrections Legislation Miscellaneous Amendment Bill 2017
 Disability Amendment Bill 2017
 Family Violence Protection Amendment (Information Sharing) Bill 2017
 Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017
 Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017
 Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017
 Sentencing Amendment (Sentencing Standards) Bill 2017

together with appendices.

Ordered to be tabled and published.

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on Improving Victoria's whistleblowing regime: a review of the *Protected Disclosure Act 2012*, together with appendices, an extract from the proceedings, minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract from the proceedings and minority report published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Yarra Bend Park
 Order under s 17D granting a lease over Albert Park Reserve

Health Services Act 1988 — Determination of intention to grant a licence under s 69AAE

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 28 (*Gazette S168, 25 May 2017*), 31 (*Gazette G22, 1 June 2017*)

Parliamentary Committees Act 2003 — Government response to the Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2015–16

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C170
 Banyule — C110
 Darebin — C137
 East Gippsland — C133
 Golden Plains — C67 Part 1
 Greater Geelong — C341
 Hume — C194, C215, GC63
 Melton — C178
 Moreland — GC63
 Nillumbik — C114

Stonnington — C238
 Surf Coast — C116, C117
 Victoria Planning Provisions — VC133
 Whitehorse — C157 Part 2
 Whittlesea — C123

Statutory Rules under the following Acts:

Building Act 1993 — SR 31
County Court Act 1958 — SR 36
Subordinate Legislation Act 1994 — SR 30
Supreme Court Act 1986 — SRs 32, 33, 34
Victorian Civil and Administrative Tribunal Act 1998 — SR 35

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 29, 30, 31, 32, 33, 34, 35
 Documents under s 16B in relation to the *Financial Management Act 1994* — Order declaring a Specified Entity.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017 without amendment.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Family Violence Protection Amendment (Information Sharing) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 30 May 2017, given the royal assent to the Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Bill 2017, presented to her by the Clerk of the Parliaments.

14 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Disability Amendment Bill 2017
 Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017.

15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 8 June 2017:

Bail Amendment (Stage One) Bill 2017
 Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017
 Disability Amendment Bill 2017
 Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017
 Sentencing Amendment (Sentencing Standards) Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 17 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to:

- (1) retain the provisions providing for the presumptive rights of firefighters; and
- (2) take into account further consultation with Volunteer Fire Brigades Victoria, volunteer firefighters and other associated organisations about the proposed amendments to the *Metropolitan Fire Brigades Act 1958* and the *Country Fire Authority Act 1958*' (*Mr Walsh*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

Motion made and question — That the sitting be continued (*Mr Donnellan*) — put and agreed to.

Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **BAIL AMENDMENT (STAGE ONE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.

- 19 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms D'Ambrosio*) — put and agreed to.

20 **ADJOURNMENT** — The Deputy Speaker left the Chair, after debate, at 8.21 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 127 — Wednesday 7 June 2017

1 The Speaker took the Chair and read the Prayer.

2 **RACING AMENDMENT (MODERNISATION) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Racing Act 1958** to make further provision for Racing Victoria and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

3 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Melbourne Water Land Rosebud — Requesting that the Legislative Assembly calls on the Government to reject amendments to rezone the Melbourne Water land in Rosebud from a public to residential zone, bearing 18 signatures (*Mr Dixon*)

Funding for Mornington Peninsula Freeway — Requesting that the Legislative Assembly urgently approves funding for the Jetty Road overpass in order to relieve the congestion on local roads at the current terminus of the Mornington Peninsula Freeway, in accordance with the VicRoads Point Nepean Road study, bearing 37 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

4 **PETITION — MELBOURNE WATER LAND ROSEBUD** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — FUNDING FOR MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

6 **PETITION — POSSUM CONTROL MEASURES** — Motion made and question — That the petition presented by the Member for Sandringham on 6 June 2017 be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

7 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Technical and Further Education Institutes: 2016 Audit Snapshot — Ordered to be published
Universities: 2016 Audit Snapshot — Ordered to be published

Racing Act 1958 — Notification of modification to the Constitution of Racing Victoria Ltd under s 3B

Statutory Rule under the *Rooming House Operators Act 2016* — SR 37

Victorian Environmental Assessment Council Act 2001 — Government response to the Victorian Environmental Assessment Council's Historic Places Investigation Final Report

Victorian Law Reform Commission — Review of the *Adoption Act 1984* — Ordered to be published.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

IBAC Committee's Report on Improving Victoria's whistleblowing regime: a review of the *Protected Disclosure Act 2012*

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville.

10 **BUDGET PAPERS** — Motion made and question proposed — That this House takes note of the 2017–18 budget papers (*Ms Allan*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

13 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2017–18 budget papers.

Business having been interrupted at 2.00 pm under sessional orders.

14 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

15 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2017–18 budget papers.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

16 **OATHS AND AFFIRMATIONS BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 June 2017.

- 17 **ENVIRONMENT PROTECTION BILL 2017** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 June 2017.

- 18 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2017** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 June 2017.

- 19 **FAMILY VIOLENCE PROTECTION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 20 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and Part 3 redrafted so that certain of the proposed additional powers in Part 3 be instead made available for existing orders for young offenders' (*Mr Pesutto*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting on their place the words this Bill be withdrawn and redrafted to: (1) retain the provisions providing for the presumptive rights of firefighters; and (2) take into account further consultation with Volunteer Fire Brigades Victoria, volunteer firefighters and other associated organisations about the proposed amendments to the *Metropolitan Fire Brigades Act 1958* and the *Country Fire Authority Act 1958*'; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met today with the Legislative Council for the purpose of choosing a person to hold the seat in the Council rendered vacant by the resignation of Mr Steve Herbert and that Mr Mark Gepp has been duly chosen to hold the vacant place.
- 23 **BAIL AMENDMENT (STAGE ONE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- Motion made and question — That the sitting be continued (*Mr Pakula*) — put and agreed to.
- Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Carbines*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 24 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Mr Pakula*) — put and agreed to.
- 25 **ADJOURNMENT** — The Deputy Speaker left the Chair, after debate, at 8.28 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 128 — Thursday 8 June 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:
- Annual Plan 2017–18
Effectiveness of the Victorian Public Sector Commission — Ordered to be published
- Border Groundwaters Agreement Review Committee — Report 2015–16
- Planning and Environment Act 1987* — Notice of approval of an amendment to the Yarra Planning Scheme — C260
- Victorian Environmental Assessment Council:
- Fibre and Wood Supply Assessment Report
Statewide Assessment of Public Land
- Wodonga Institute of TAFE — Report 2016.

3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 20 June 2017 (*Ms Allan*) — put and agreed to.

4 **STATEMENTS BY MEMBERS** — Statements by members were made.

5 **RACING AMENDMENT (MODERNISATION) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 22 June 2017.

6 **SENTENCING AMENDMENT (SENTENCING STANDARDS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

7 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

8 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

9 **SENTENCING AMENDMENT (SENTENCING STANDARDS) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

10 **DISABILITY AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

11 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 4 to 6 inclusive, be postponed until later this day.

12 **BAIL AMENDMENT (STAGE ONE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 595*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 June 2017 had expired.

Question — That clause 6 stand part of the bill — put and agreed to.

Question — That clauses 7 to 29 inclusive stand part of the bill, the bill be agreed to without amendment, and the bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **SENTENCING AMENDMENT (SENTENCING STANDARDS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **DISABILITY AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and Part 3 redrafted so that certain of the proposed additional powers in Part 3 be instead made available for existing orders for young offenders'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

A division having been called, the Speaker advised that there was only one vote for the 'noes' and, accordingly, declared the question agreed to. Mr Hibbins asked that his dissent be recorded.

Bill sent to the Legislative Council and their agreement requested.

- 16 **FIREFIGHTERS' PRESUMPTIVE RIGHTS COMPENSATION AND FIRE SERVICES LEGISLATION AMENDMENT (REFORM) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to: (1) retain the provisions providing for the presumptive rights of firefighters; and (2) take into account further consultation with Volunteer Fire Brigades Victoria, volunteer firefighters and other associated organisations about the proposed amendments to the *Metropolitan Fire Brigades Act 1958* and the *Country Fire Authority Act 1958*.'

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.17 pm under sessional orders.

- 17 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.56 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 126, 127 and 128

No 128 — Thursday 8 June 2017

BAIL AMENDMENT (STAGE ONE) BILL 2017

Clauses 1 to 5 agreed to.

Clause 6 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 June 2017 had expired (for remaining stages see p 592).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 129, 130 and 131

No 129 — Tuesday 20 June 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **YARRA RIVER PROTECTION (WILIP-GIN BIRRARUNG MURRON) BILL 2017** — Mr Wynne obtained leave to bring in a Bill '*for an Act to provide for the establishment of an overarching policy and planning framework for the Yarra River, to establish the Birrarung Council, to provide for the declaration of the Greater Yarra Urban Parklands, to amend various Acts in relation to the management of the Yarra River and other Yarra River land and to make other consequential amendments and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **PLANNING AND BUILDING LEGISLATION AMENDMENT (HOUSING AFFORDABILITY AND OTHER MATTERS) BILL 2017** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Planning and Environment Act 1987** to facilitate affordable housing supply and to modify the requirements for determining certain applications to amend wind farm planning permits, to make miscellaneous amendments to the **Building Act 1993** and the **Building Amendment (Enforcement and Other Measures) Act 2017** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2017** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to amend the **Health Services Act 1988**, the **Ambulance Services Act 1986**, the **Mental Health Act 2014**, the **Public Health and Wellbeing Act 2008** and the **Mental Health Amendment Act 2015** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PETITION** — The Clerk announced that the following petition had been lodged for presentation:

State Funded Out-of-home Care — Requesting that the Legislative Assembly calls on the Government to allow young people to remain in State funded out-of-home care until they reach the age of 21 so they are not displaced upon reaching the age of 18, bearing 48 signatures (*Ms Victoria*).

Ordered to be tabled.
- 8 **PETITION — STATE FUNDED OUT-OF-HOME CARE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

9 DOCUMENTS

PENALTY RATES AND FAIR PAY SELECT COMMITTEE — Ms Williams, Chair, presented an interim report from the Penalty Rates and Fair Pay Select Committee, together with appendices.

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 9 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Bail Amendment (Stage One) Bill 2017
 Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017
 Environment Protection Bill 2017
 Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017
 Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017
 Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017
 Oaths and Affirmations Bill 2017
 Parks and Crown Land Legislation Amendment Bill 2017
 Racing Amendment (Modernisation) Bill 2017
 Sentencing Amendment (Sentencing Standards) Bill 2017
 State Taxation Acts Amendment Bill 2017
 SR 133 — Australian Grands Prix (Formula One) Regulations 2016

together with appendices.

Ordered to be tabled and published.

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Mr Bull (*Sunbury*), Chair, presented a report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the control of invasive animals on Crown land, together with appendices, summary booklet and transcripts of evidence.

Ordered to be tabled and the report, appendices and summary booklet published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Federation Training — Report 2015

Financial Management Act 1994 — Report from the Minister for Training and Skills that she had not received the Report 2016 of Federation Training, together with an explanation for the delay

Ombudsman — Report into allegations of a conflict of interest of an officer at the Metropolitan Fire and Emergency Services Board — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Brimbank — C157
 Maribyrnong — GC67
 Melbourne — GC67
 Melton — C143
 Port Phillip — GC67
 Stonnington — GC67

Road Management Act 2004 — Code of Practice for Operational Responsibility for Public Roads (*Gazette S174, 30 May 2017*)

Statutory Rules under the following Acts:

Crimes Act 1958 — SR 39

Judicial Commission of Victoria Act 2016 — SR 38

Road Safety Act 1986 — SRs 41, 42

Transport Accident Act 1986 — SR 40

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 37, 38, 39

Documents under s 16B in relation to the *Kardinia Park Stadium Act 2016* — Event management declaration for Kardinia Park events

Victorian Electoral Commission — 2016 Local Government Elections Report

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Amendment Notice (*Gazette S183, 5 June 2017*).

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the house dated 24 February 2015:

Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Act 2017 — Whole Act (other than Part 3) — 15 June 2017 (*Gazette S195, 14 June 2017*).

- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

City of Greater Geelong Amendment Bill 2017

Sex Offenders Registration Amendment (Miscellaneous) Bill 2017.

- 11 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

On 14 June 2017

Family Violence Protection Amendment (Information Sharing) Bill 2017

On 20 June 2017

City of Greater Geelong Amendment Bill 2017

Sex Offenders Registration Amendment (Miscellaneous) Bill 2017.

- 12 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Oaths and Affirmations Bill 2017

Parks and Crown Land Legislation Amendment Bill 2017.

- 13 **PENALTY RATES AND FAIR PAY SELECT COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 9 March 2017 be amended to extend the reporting date for the Penalty Rates and Fair Pay Select Committee's final report to no later than 30 June 2018 (*Ms Allan*) — put and agreed to.

14 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE — EXTENSION TO REPORTING DATE** — Motion made, by leave, and question — That the resolution of the House of 23 June 2016 be amended to extend the reporting date for the Economic, Education, Jobs and Skills Committee's inquiry into supporting the role of communities in the Victorian energy economy to no later than 31 October 2017 (*Ms Allan*) — put and agreed to.

15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 22 June 2017:

Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017
 Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017
 Land Legislation Amendment Bill 2017
 WorkSafe Legislation Amendment Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

16 **STATEMENTS BY MEMBERS** — Statements by members were made.

17 **JUSTICE LEGISLATION AMENDMENT (PROTECTIVE SERVICES OFFICERS AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

18 **PARLIAMENTARY BUDGET OFFICER BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

19 **POSTPONEMENT OF ORDER OF THE DAY** — Motion made and question — That the consideration of Government Business, Order of the Day, No 3 be postponed until later this day (*Ms Hennessy*) — put, after debate, and agreed to.

- 20 **JUSTICE LEGISLATION AMENDMENT (COURT SECURITY, JURIES AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.19 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 130 — Wednesday 21 June 2017

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

North East Link — Requesting that the Legislative Assembly calls on the Government to terminate any investigation into the construction of a North East Link through Kangaroo Ground and Nillumbik's green wedge, bearing 387 signatures (*Ms McLeish*)

Lake Eildon Houseboat Grey Water Treatment Systems — Requesting that the Legislative Assembly calls on the Government to — (a) set aside the current regulations requiring houseboats on Lake Eildon to install grey water treatment systems until suitable fit for purpose systems can be manufactured; (b) transfer the onus for installing the systems to the purchaser; and (c) exempt boats on Lake Eildon prior to July 2013, bearing 57 signatures (*Ms McLeish*)

Road Barriers on Kangaroo Ground–St Andrews Road — Requesting that the Legislative Assembly calls on the Government to stop the installation of road barriers on Kangaroo Ground–St Andrews Road and to undertake consultation to obtain a satisfactory road safety model, bearing 1063 signatures (*Ms McLeish*)

Western Port Basketball Stadium — Requesting that the Legislative Assembly calls on the Government to provide funding to rebuild the Western Port Basketball Stadium, bearing 629 signatures (*Mr Burgess*)

Crime in Rural Communities — Requesting that the Legislative Assembly calls on the Government to increase the police presence in rural communities, improve response times to 000 calls, ensure penalties for crimes are in line with community values and increase rehabilitation and support resources for drug users, bearing 1488 signatures (*Mr Walsh*)

Solar Panels — Requesting that the Legislative Assembly calls on the Government to enact legislation which protects the solar investments of Victorian households and small businesses from overshadowing, bearing 811 signatures (*Mr Hibbins*)

Fawkner Express Convenience Store — Requesting that the Legislative Assembly calls on the Government to permit Fawkner Express Convenience Store to become a myki retailer, bearing 125 signatures (*Mr Hibbins*).

Petitions ordered to be tabled.

- 3 **PETITION — SOLAR PANELS** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.
- 4 **PETITION — FAWKNER EXPRESS CONVENIENCE STORE** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.
- 5 **PETITION — WESTERN PORT BASKETBALL STADIUM** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 6 **PETITION — NORTH EAST LINK** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 7 **PETITION — LAKE EILDON HOUSEBOAT GREY WATER TREATMENT SYSTEMS** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 8 **PETITION — ROAD BARRIERS ON KANGAROO GROUND—ST ANDREWS ROAD** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 9 **PETITION — CRIME IN RURAL COMMUNITIES** — Motion made and question — That the petition presented by the Member for Murray Plains be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General — Managing Victoria's Public Housing — Ordered to be published
- Professional Standards Act 2003* — Instrument Amending The Chartered Accountants Australia and New Zealand Professional Standards Scheme (Victoria) under s 14 (*Gazette G24, 15 June 2017*)
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rules 36, 40.
- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land
- Electoral Matters Committee's Report on the Inquiry into electronic voting
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates
- Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes
- Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election.

13 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made and question — That so much of standing and sessional orders be suspended on Thursday 22 June 2017 so as to allow —

- (1) Aunty Alice Kolasa, Aunty Gail Smith, Ron Jones, Allan Wandin, Uncle Colin Hunter Jnr and Jacqui Wandin to attend on the floor of the House in the break in business immediately prior to the order of the day relating to the Yarra River Protection (Wilip-gin Birrarung murrong) Bill 2017;
- (2) The visitors to carry and use clap sticks while entering the House and taking their seats;
- (3) The visitors to address the House in English and Woi-wurrung languages to explain their connection with the Yarra River and the importance of protecting the river for generations to come —

(*Mr Wynne*) — put, after debate, and agreed to.

14 **PLANNING AND BUILDING LEGISLATION AMENDMENT (HOUSING AFFORDABILITY AND OTHER MATTERS) BILL 2017** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 5 July 2017.

15 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2017** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 5 July 2017.

16 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Scott announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Mr Morris announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

17 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

18 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

19 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

20 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — LAW AND ORDER** — The House was informed that Ms Staley had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House:

- (1) condemns the Premier for failing to act to end the law and order crisis engulfing Victoria since he came to power; and
- (2) moreover notes:
 - (a) the Government has a part time Police Minister, Corrections Minister, and Attorney-General despite crime in Victoria rising 18.2 per cent since the 2014 election;
 - (b) per capita police numbers have fallen since the 2014 election;
 - (c) drug rehabilitation beds across Victoria have decreased by 15.6 per cent since the 2014 election;
 - (d) the fourth Andrews Government Corrections Minister is unable to answer basic questions of fact correctly and has repeatedly been forced to issue revised answers;
 - (e) the Police Association Victoria and Victoria Legal Aid both say the Magistrates' Court system is in crisis and is struggling to maintain community safety; and
 - (f) bail, parole and sentencing standards created by the Government are inadequate and do not meet community expectations.'

Ms Staley addressed the House — Discussion followed.

21 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

22 **LAND LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

23 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 7.21 pm.

No 131 — Thursday 22 June 2017

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Clerk announced that the following petitions had been lodged for presentation:

Education and Training Reform Regulations 2017 — Requesting that the Legislative Assembly calls on the Government to disallow Part 6 of the Education and Training Reform Regulations 2017 pertaining to home schooling, bearing 887 signatures (*Mr Paynter*)

Frankston Nature Conservation Reserve — Requesting that the Legislative Assembly calls on the Government to support the retention of the existing access arrangements and regulations for the Frankston Nature Conservation Reserve, including maintaining the presence of two rangers during opening hours, bearing 805 signatures (*Mr Battin*).

Petitions ordered to be tabled.

3 **PETITION — FRANKSTON NATURE CONSERVATION RESERVE** — Motion made and question — That the petition presented by the Member for Gembrook be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

4 **DOCUMENTS**

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE — Ms Edwards, Chair, presented a report from the Family and Community Development Committee on the Inquiry into services for people with Autism Spectrum Disorder, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Follow Up of Selected 2014–15 Performance Audits — Ordered to be published
Maintaining State-Controlled Roadways — Ordered to be published

Members of Parliament (Register of Interests) Act 1978 — Summary of Variations notified between 8 May and 19 June 2017 — Ordered to be published

Multicultural Victoria Act 2011 — Victorian Government Report in Multicultural Affairs 2015–16.

5 **STATEMENTS BY MEMBERS** — Statements by members were made.

6 **ADDRESS BY WURUNDJERI ELDERS** — In accordance with the resolution of the House on 21 June 2017, Wurundjeri Elders Aunty Alice Kolasa, Aunty Gail Smith, Ron Jones, Allan Wandin, Uncle Colin Hunter Jnr and Jacqui Wandin were admitted into the Chamber by the Serjeant-at-Arms.

The Wurundjeri Elders addressed the House in English and Woi-wurrung languages to explain their connection with the Yarra River and the importance of protecting the river for generations to come.

The Speaker thanked the Wurundjeri Elders for their respective addresses and the Serjeant-at-Arms escorted them from the Chamber.

- 7 **YARRA RIVER PROTECTION (WILIP-GIN BIRRARUNG MURRON) BILL 2017** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 6 July 2017.

- 8 **LAND LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 11 **LAND LEGISLATION AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Wells*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Katos*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **RETIREMENT OF THE CLERK** — By leave, members made statements to pay tribute to the Clerk of the Legislative Assembly and Clerk of the Parliaments, Mr Ray Purdey, on his retirement.

- 14 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 20 June 2017 had expired.

- 15 **WORKSAFE LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 4 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **JUSTICE LEGISLATION AMENDMENT (PROTECTIVE SERVICES OFFICERS AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

A division having been called, the Speaker advised that there was only one vote for the 'noes' and, accordingly, declared the question agreed to. Mr Hibbins asked that his dissent be recorded.

Bill sent to the Legislative Council and their agreement requested.

- 17 **JUSTICE LEGISLATION AMENDMENT (COURT SECURITY, JURIES AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 18 **LAND LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.08 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put and agreed to.

- 19 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2017–18 budget papers.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 8 August 2017 (*Ms Allan*) — put and agreed to.

- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the State Taxation Acts Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration immediately.

- 22 **STATE TAXATION ACTS AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 23 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 24 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Mr Pakula*) — put and agreed to.
- 25 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 6.27 pm.

R W PURDEY
Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 132, 133 and 134

No 132 — Tuesday 8 August 2017

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** to provide for a database relating to the monitoring of the supply of certain poisons and controlled substances, to provide for use of the database and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **DOMESTIC ANIMALS AMENDMENT (RESTRICTED BREED DOGS) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Domestic Animals Act 1994** in relation to restricted breed dogs, dangerous dogs, payments to the Treasurer and to make minor and related amendments and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Surveillance Devices Act 1999** in relation to the use of body-worn cameras and tablet computers by police and prescribed persons and the **Judicial Proceedings Reports Act 1958** in relation to the disclosure of information and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Eel Race Road level crossing — Requesting that the Legislative Assembly calls on the Government not to close the Eel Race Road Level Crossing, and instead either trench the rail line beneath the road or leave the crossing as it is, bearing 567 signatures (*Mr Smith, Warrandyte*).

Ordered to be tabled.

8 **PETITION — EEL RACE ROAD LEVEL CROSSING** — Motion made and question — That the petition presented by the Member for Warrandyte be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

9 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2016, Regulations and Legislative Instruments, together with appendices tabled by leave (*Ms Blandthorn*).

Ordered to be published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 10 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Ramming of Police Vehicles) Bill 2017
 Environment Protection Bill 2017
 Health Legislation Amendment (Quality and Safety) Bill 2017
 Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017
 Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Eureka Stockade Public Park and Recreation Reserve
 Order under s 17D granting a lease over WG Little Reserve Portarlington

Falls Creek Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Gambling Regulation Act 2003:

Gambling and Lotteries Licence Independent Review Panel Report on the Lotteries Licensing Process
 — Ordered to be published
 Public Lottery Licence and Ancillary Agreement under s 5.3.11

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 45 (*Gazette G26, 29 June 2017*), 50 (*Gazette S231, 29 June 2017*) and 52 (*Gazette G27, 6 July 2017*)

Lake Mountain Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Melbourne City Link Act 1995:

City Link and Extension Projects Integration and Facilitation Agreement Twenty-Fourth Amending Deed
 Exhibition Street Extension Seventeenth Amending Deed
 Melbourne City Link Thirty-Sixth Amending Deed

Mount Baw Baw Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Mount Buller and Mount Stirling Alpine Resort Management Board — Report 1 November 2015 to 31 December 2016

Parliamentary Salaries and Superannuation Act 1968 — Report 2016–17 under s 7C

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C178, C206
 Banyule — C111, GC64
 Baw Baw — GC64
 Boroondara — C177
 Brimbank — C194

Cardinia — C206, C208, C214, C221
 Central Goldfields — C27
 Darebin — GC64
 East Gippsland — C135, C136
 Frankston — C116
 Greater Bendigo — C231
 Greater Dandenong — C199
 Horsham — C77
 Hume — C212, C219
 Indigo — C66
 Knox — C151
 Latrobe — C91
 Macedon Ranges — C98, C99, C100
 Manningham — C107, C112, C121
 Melbourne — C303, C311, C312, GC68
 Melton — C176, C187
 Monash — C134, C135
 Moreland — C163, C168, GC68
 Mornington Peninsula — C208, GC64
 Mount Alexander — C56
 Murrindindi — C64
 Port Phillip — GC68
 South Gippsland — C103, C108
 Stonnington — C207, C222, C242, C254, C256
 Strathbogie — C4 Part 1
 Surf Coast — C119
 Swan Hill — GC73
 Victoria Planning Provisions — VC137
 Wangaratta — C66 Part 1
 Wellington — C51, C90, C92 Part 1
 Whitehorse — C182, C189
 Whittlesea — GC64
 Yarra — C183, GC68, GC73
 Yarra Ranges — C160

Public Interest Monitor — Report 2016–17

Statutory Rules under the following Acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SRs 68, 69
Building Act 1993 — SRs 65, 66
Child Wellbeing and Safety Act 2005 — SR 62
Corrections Act 1986 — SR 60
Country Fire Authority Act 1958 — SR 61
Drugs, Poisons and Controlled Substances Act 1981 — SR 76
Education and Training Reform Act 2006 — SR 44
Environment Protection Act 1970 — SRs 45, 72
Fisheries Act 1995 — SR 58
Heavy Vehicle National Law Application Act 2013 — SR 75
Livestock Disease Control Act 1994 — SR 57
Local Government Act 1989 — SR 64
Marine Safety Act 2010 — SR 74
Public Health and Wellbeing Act 2008 — SR 53
Rail Safety (Local Operations) Act 2006 — SRs 77, 78
Retirement Villages Act 1986 — SR 67
Road Safety Act 1986 — SR 79

Subordinate Legislation Act 1994 — SRs 47, 54, 56, 70
Tobacco Act 1987 — SRs 63, 73
Traditional Owner Settlement Act 2010 — SR 43
Transport (Compliance and Miscellaneous) Act 1983 — SRs 48, 49, 50, 51
Treasury Corporation of Victoria Act 1992 — SR 80
Victorian Energy Efficiency Target Act 2007 — SRs 46, 52, 71
Witness Protection Act 1991 — SR 55
Working with Children Act 2005 — SR 59

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 76, 77, 78, 79, 80

Documents under s 16B in relation to:

Catchment and Land Protection Act 1994 — Declaration of certain plants to be State prohibited weeds, regionally prohibited weeds, regionally controlled weeds, or restricted weeds
Fisheries Act 1995 — Amendment to initial abalone quota order
Gambling Regulation Act 2003 — Keno Technical Standard Version 2.0
Project Development and Construction Management Act 1994 — Order divesting land from the Melbourne Market Authority to the Crown
Tobacco Act 1987 — Ministerial guidelines for certification of specialist e-cigarette retail premises
Transport (Compliance and Miscellaneous) Act 1983 — Specification of Railway Stations for the Purposes of the definition of 'Compulsory Ticket Area'.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Building Amendment (Enforcement and Other Measures) Act 2017 — Sections 3(2), 17(1), 18(1), 19, 26, 27, 31, 32, 33, 34, 35, 36, 37, 38, 49, 50(2), 51, 53, 55, 66(1) and 83 — 16 August 2017 (*Gazette S257, 1 August 2017*)
Children Legislation Amendment (Reportable Conduct) Act 2017 — Remaining provisions — 1 July 2017 (*Gazette S216, 27 June 2017*)
Corrections Legislation Amendment Act 2016 — Section 16 — 28 June 2017 (*Gazette S216, 27 June 2017*)
Creative Victoria Act 2017 — Whole Act — 1 July 2017 (*Gazette S206, 20 June 2017*)
Lord Mayor's Charitable Foundation Act 2017 — Whole Act — 1 July 2017 (*Gazette S206, 20 June 2017*)
Small Business Commission Act 2017 — Whole Act — 1 July 2017 (*Gazette S216, 27 June 2017*).

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the Commercial Passenger Vehicle Industry Bill 2017 and suggesting amendments.

Ordered — That the suggested amendments be taken into consideration later this day.

- 11 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Appropriation (Parliament 2017–2018) Bill 2017
 Bail Amendment (Stage One) Bill 2017.

- 12 **APPROPRIATION (2017–2018) BILL 2017 — APPROPRIATION (PARLIAMENT 2017–2018) BILL 2017** — The Speaker announced that, on 27 June 2017, he had presented to the Governor the Appropriation (2017–2018) Bill 2017, under section 65 of the *Constitution Act 1975*, and the Appropriation (Parliament 2017–2018) Bill 2017 to which the Governor gave the royal assent.

- 13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 27 June 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Bail Amendment (Stage One) Bill 2017
 Parliamentary Budget Officer Bill 2016
 State Taxation Acts Amendment Bill 2017.

- 14 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Health Legislation Amendment (Quality and Safety) Bill 2017
 Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017.

- 15 **PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE** — The Speaker announced that he had received the resignation of Ms Staley from the Public Accounts and Estimates Committee, effective from 7 August 2017.

- 16 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That Mr O'Brien (*Gippsland South*) be appointed a member of the Public Accounts and Estimates Committee (*Ms Allan*) — put and agreed to.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 10 August 2017:

Environment Protection Bill 2017
 Health Legislation Amendment (Quality and Safety) Bill 2017
 Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017
 Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 19 **COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017** — Order read for the consideration of the amendments suggested by the Legislative Council.

Motion made and question — That the following suggested amendments be made:

1. Clause 12, line 29, omit "\$2" and insert "\$1".
2. Clause 12, page 10, line 1, omit "regulations" and insert "regulations, in accordance with section 20(2),".
3. Clause 12, page 10, line 8, omit "\$2" and insert "\$1".
4. Clause 20, line 6, after "(b)" insert "subject to subsection (2),".
5. Clause 20, after line 13 insert—
 - "() The Minister must not recommend the making of regulations specifying an amount of \$1 or more as the amount of the levy unless the ESC recommends the specification of that amount in accordance with subsection (3).
 - () The ESC must not recommend the specification of an amount unless the ESC is satisfied that it is the lowest amount that is reasonably likely to result in the total amount of the levy collected within 8 years of the commencement of this Part being equal to the money spent on transitional assistance.
 - () For the purposes of subsection (3), the *money spent on transitional assistance* is the total amount paid by the State (whether as compensation or otherwise) to participants in the commercial passenger vehicle industry to assist those participants in relation to changes to the law that applies to that industry as compared with that law as in force immediately before the commencement of this Act."

(*Ms Allan*) — and, after debate —

Suggested amendment No 1 — amendment proposed:

Omit "\$1" and insert "nil" (*Mr Hodgett*) —

Suggested amendment No 3 — amendment proposed:

Omit "\$1" and insert "nil" (*Mr Hodgett*) —

Suggested amendment No 5 — amendment proposed:

Omit "of \$1 or more" and insert "(other than nil)" (*Mr Hodgett*) — and, after debate —

Question — That the word proposed to be omitted from suggested amendment No 1 stand part of the suggested amendment — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson;

Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That suggested amendment No 1 be made — put and agreed to.

The Speaker advised that, as Mr Hodgett's amendment to suggested amendment No 1 had been defeated, he cannot proceed with his amendment to suggested amendment No 3 as it was consequential.

Question — That suggested amendment Nos 2 to 4 be made — put and agreed to.

Question — That the words proposed to be omitted from suggested amendment No 5 stand part of the suggested amendment — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That suggested amendment No 5 be made — put and agreed to.

Bill returned to the Legislative Council with a message informing them accordingly.

- 20 **PLANNING AND BUILDING LEGISLATION AMENDMENT (HOUSING AFFORDABILITY AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Battin*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Disability Amendment Bill 2017 without amendment.

- 22 **ENVIRONMENT PROTECTION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.22 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 133 — Wednesday 9 August 2017

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Guy Turner Reserve — Requesting that the Legislative Assembly calls on the Government to allocate funds to upgrade the surface of Guy Turner Reserve, Bayswater, in time for the 2018 season, bearing 374 signatures (*Ms Victoria*)

Boronia Heights Secondary College Former Site — Requesting that the Legislative Assembly calls on the Government not to develop the site of the former Boronia Heights Secondary College, and instead return it to the people in the form of public open space, bearing 2223 signatures (*Ms Victoria*).

Petitions ordered to be tabled.

- 3 **PETITION — GUY TURNER RESERVE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

- 4 **PETITION — BORONIA HEIGHTS SECONDARY COLLEGE FORMER SITE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

- 5 **DOCUMENTS**

COMMISSION OF INQUIRY INTO ARARAT RURAL CITY COUNCIL — Report tabled by leave (*Ms Hutchins*).

Ordered to be published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Internal Audit Performance — Ordered to be published
V/Line Passenger Services — Ordered to be published

Statutory Rules under the following Acts:

Building Act 1993 — SR 81

Magistrates' Court Act 1989 — SR 82

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 81, 82

Documents under s 16B in relation to the *Education and Training Reform Act 2006* — Ministerial Order No 1030 — Victorian Institute of Teaching Schedule of Registration Fees 2017–18.

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Sentencing Amendment (Sentencing Standards) Bill 2017 without amendment.

- 7 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder.

- 9 **DOMESTIC ANIMALS AMENDMENT (RESTRICTED BREED DOGS) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 August 2017.

- 10 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 August 2017.

- 11 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 August 2017.

- 12 **ENVIRONMENT PROTECTION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 15 **ENVIRONMENT PROTECTION BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 16 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — VICTORIAN LIBERAL PARTY** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes the crisis facing the Victorian Liberal Party who are financially, morally and policy bankrupt.'

Mr Merlino addressed the House — Discussion followed.

- 17 **ENVIRONMENT PROTECTION BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **CRIMES AMENDMENT (RAMMING OF POLICE VEHICLES) BILL 2017** — The Deputy Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the Crimes Act 1958 to create an offence relating to ramming police vehicles, to amend the Sentencing Act 1991 to make provision for sentencing for that offence, and for other purposes*'.

Motion made and question — That this Bill be now read a first time (*Mr Clark*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris;

Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 19 **YARRA RIVER PROTECTION (WILIP-GIN BIRRARUNG MURRON) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 134 — Thursday 10 August 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:
- Plastic Bags Ban** — Requesting that the Legislative Assembly calls on the Government to ban plastic bags in all supermarkets and shops, bearing 245 signatures (*Mr Wynne*).
- Ordered to be tabled.
- 3 **DOCUMENT**
- GOVERNMENT RESPONSE TO THE COMMUNITY VISITORS REPORT 2015–16** — Tabled by leave (*Mr Foley*).
- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 22 August 2017 (*Ms Allan*) — put and agreed to.
- 5 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 6 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 11.00 am under sessional orders.*
- 7 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

8 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

9 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

10 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

11 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 3 be postponed until later this day.

12 **PLANNING AND BUILDING LEGISLATION AMENDMENT (HOUSING AFFORDABILITY AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time, considered in detail and agreed to without amendment, read a third time (*see p 623*).

Bill sent to the Legislative Council and their agreement requested.

13 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers: debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Graley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Legislation Amendment (Public Order) Bill 2017 without amendment.

15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Commercial Passenger Vehicle Industry Bill 2017 with the amendments made by the Legislative Assembly on the suggestion of the Council, and with amendments made by the Council.

Ordered — That the amendments made by the Legislative Council be taken into consideration immediately.

16 **COMMERCIAL PASSENGER VEHICLE INDUSTRY BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the following amendments be agreed to —

1. Clause 1, line 6, omit "transactions; and" and insert "transactions—".
2. Clause 1, after line 6 insert—
 - "(i) to recover the cost of transitional assistance provided to certain participants in the commercial passenger vehicle industry; and
 - (ii) to partly fund the regulation of the commercial passenger vehicle industry; and".

3. Clause 3, page 5, after line 12 insert—
 "ESC means the Essential Services Commission established by section 7 of the **Essential Services Commission Act 2001**;"

(*Ms Allan*) — and, after debate —

Amendment No 2 — amendment proposed:

Omit proposed paragraph (ii) (*Mr Hodgett*) — and, after debate —

Question — That amendment No 1 be agreed to — put and agreed to.

Question — That the words proposed to be omitted from amendment No 2 stand part of the amendment — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

Question — That amendment No 2 be agreed to — put and agreed to.

Question — That amendment No 3 be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 17 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 August 2017 had expired.

- 18 **YARRA RIVER PROTECTION (WILIP-GIN BIRRARUNG MURRON) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

19 **ENVIRONMENT PROTECTION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

20 **HEALTH LEGISLATION AMENDMENT (QUALITY AND SAFETY) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

21 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.23 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 132, 133 and 134

No 134 — Thursday 10 August 2017

PLANNING AND BUILDING LEGISLATION AMENDMENT (HOUSING AFFORDABILITY AND OTHER MATTERS) BILL 2017

Clauses 1 to 15 agreed to.

Bill agreed to without amendment.

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 135, 136 and 137

No 135 — Tuesday 22 August 2017

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the Serious Sex Offenders (Detention and Supervision) Act 2009 and the Corrections Act 1986, to consequentially amend other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the Residential Tenancies Act 1997 to provide for tenancy agreements for a fixed term of more than 5 years, to make consequential amendments and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

6 **LONG SERVICE LEAVE BILL 2017** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to make provision for the long service entitlements of certain employees, to repeal the Long Service Leave Act 1992, to make consequential amendments to various other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **CAULFIELD RACECOURSE RESERVE BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to establish a Trust to manage the Caulfield Racecourse Reserve for racing, recreation and public park purposes, to provide for related matters and to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Anti-bullying Program — Requesting that the Legislative Assembly calls on the Government to remove the Safe Schools program and replace it with an anti-bullying program that is supported by school communities and parents, bearing 461 signatures (*Mr Angus*)

Voluntary Assisted Dying Legislation — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying in Victoria, bearing 15 signatures (*Mr Angus*)

Greyhound Racing — Requesting that the Legislative Assembly calls on the Government to alter the Draft Code of Practice for the keeping of racing greyhounds to allow the industry to grow and prosper with strong animal welfare standards and not ban the industry by stealth with over regulation, bearing 104 signatures (*Ms Kealy*).

Petitions ordered to be tabled.

9 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.

10 **PETITION — VOLUNTARY ASSISTED DYING LEGISLATION** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.

11 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 11 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017
 Game Management Authority Amendment Bill 2017
 Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Alexandra Gardens

Mordialloc-Mentone Foreshore Reserve

Order under s 17D granting a lease over Sandringham Beach Park

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to Statutory Rules 57, 68 (*Gazette S256, 1 August 2017*)

Ombudsman — Investigation into Victorian government school expulsions — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C203

Banyule — C98

Bayside — C139

Boroondara — C183

Brimbank — C170

Cardinia — C215

Casey — C227

Darebin — C160

Greater Dandenong — C143

Greater Geelong — C331, C354

Greater Shepparton — C195

Hepburn — C67

Kingston — C154

Knox — C162

Latrobe — C87 Part 1, C87 Part 3
 Manningham — C119
 Melton — C180
 Monash — C130
 Moonee Valley — C163, C164, C170
 South Gippsland — C110
 Stonnington — C172
 Wangaratta — C66 Part 2
 Whittlesea — C207

Statutory Rules under the following Acts:

Parliamentary Salaries and Superannuation Act 1968 — SR 84
Radiation Act 2005 — SR 83

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 75, 83, 84
 Documents under s 16B in relation to the *Port Management Act 1995* — Approval of wharfage fees for Station Pier determined by the Victorian Ports Corporation (Melbourne), a designated state port entity

Surveyor-General — Report 2016–17 on the administration of the *Survey Co-ordination Act 1958*

Water Act 1989:

Abolition of Murrayville Groundwater Supply Protection Area Order 2017
 Revocation of Murrayville Groundwater Supply Protection Area Management Plan.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Legislation Miscellaneous Amendment Bill 2017 without amendment.

13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 15 August 2017, given the royal assent to the following bills, presented to her by the Clerk of the Parliaments:

Corrections Legislation Miscellaneous Amendment Bill 2017
 Crimes Legislation Amendment (Public Order) Bill 2017
 Disability Amendment Bill 2017
 Sentencing Amendment (Sentencing Standards) Bill 2017.

14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had today given the royal assent to the Commercial Passenger Vehicle Industry Bill 2017, presented to her by the Acting Clerk of the Parliaments.

15 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017.

16 **LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE** — The Speaker announced that he had received the resignation of Mr Eideh, MLC, from the Law Reform, Road and Community Safety Committee, effective from today.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 24 August 2017:

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017
 Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017
 Parks and Crown Land Legislation Amendment Bill 2017
 Racing Amendment (Modernisation) Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 20 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.
- 21 **RACING AMENDMENT (MODERNISATION) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Staikos*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 22 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 136 — Wednesday 23 August 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to establish renewable energy targets for Victoria, to support schemes to achieve targets under the Act and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **LOCAL GOVERNMENT (CENTRAL GOLDFIELDS SHIRE COUNCIL) BILL 2017** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to dismiss the Central Goldfields Shire Council and provide for a general election for that Council and for other purposes*'; and the Bill was read a first time and, under SO 61(2), ordered to be read a second time immediately.
- 4 **LOCAL GOVERNMENT (CENTRAL GOLDFIELDS SHIRE COUNCIL) BILL 2017** — Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard — and, after debate —

Bill read a second time and, by leave, immediately read a third time.

Bill sent to the Legislative Council and their agreement requested.

- 5 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Shortland's Bluff Tourist Cabins — Requesting that the Legislative Assembly calls on the Government not to fund tourist cabins on Shortland's Bluff as part of the Destination Queenscliff Project, bearing 1118 signatures (*Ms Neville*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 1079 signatures (*Mr Dixon*)

Mornington Peninsula Freeway — Requesting that the Legislative Assembly calls on the Government to reduce traffic noise along the Mornington Peninsula Freeway by installing a noise attenuation solution, bearing 13 signatures (*Mr Dixon*)

Craigieburn Road West, Craigieburn — Requesting that the Legislative Assembly calls on the Government to immediately fund and commence works on Craigieburn Road West, Craigieburn to duplicate the road from Hanson Road to Aitken Boulevard and install traffic lights and bus shelters, bearing 700 signatures (*Ms Spence*).

Petitions ordered to be tabled.

6 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

7 **PETITION — MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

8 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Acting Clerk tabled the following document in accordance with an Act of Parliament:

Auditor-General — Effectively Planning for Population Growth — Ordered to be published.

9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Jury Directions and Other Acts Amendment Bill 2017

Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017.

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Public Administration Amendment (Public Sector Communication Standards) Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

11 **STATEMENTS BY MEMBERS** — Statements by members were made.

12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into electronic voting

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder.

13 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 6 September 2017.

- 14 **RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Motion made and question proposed — That the debate be adjourned until Tuesday 5 September 2017 (*Ms Kairouz*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 15 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 16 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 17 **RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017** — Debate continued on question — That the debate be adjourned until Tuesday 5 September 2017 — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson (*Mordialloc*); Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 3 be postponed until later this day.

- 19 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR COMMUNICATION STANDARDS) BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 20 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 21 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 22 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.16 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 137 — Thursday 24 August 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **STATEMENTS BY LEAVE REGARDING HON FIONA RICHARDSON** — By leave, the Premier and the Leader of the Opposition made statements in relation to the late Hon Fiona Richardson, Minister for the Prevention of Family Violence and Minister for Women.
- 3 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended today as required so that:
- (1) the Government Business Program agreed to on 22 August 2017 is rescinded;
 - (2) the House, at its rising, adjourns until Tuesday 5 September 2017;
 - (3) the ministers who introduced the Caulfield Racecourse Reserve Bill 2017, the Long Service Leave Bill 2017, and the Renewable Energy (Jobs and Investment) Bill 2017 are deemed to:
 - (a) have tabled the statement of compatibility;
 - (b) moved the second reading; and
 - (c) incorporated the second reading speech into Hansard —

for their respective bills, and each bill stands adjourned until Thursday 7 September 2017 in the name of the Leader of the Opposition; and

(4) the House immediately adjourns —

(Ms Allan) — put and agreed to.

4 **ADJOURNMENT** — The Speaker left the Chair at 9.44 am.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 138, 139 and 140

No 138 — Tuesday 5 September 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE FIONA RICHARDSON** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Fiona Richardson, and recognises her service to the Parliament and the people of Victoria as Member for Northcote, Minister for Women and our nation's first ever Minister for the Prevention of Family Violence (*Mr Andrews*) — put, after the Speaker and other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Honourable Fiona Richardson, the House now adjourns until 9.30 am tomorrow (*Mr Andrews*) — put and agreed to.

And the House, at 4.48 pm, adjourned until tomorrow at 9.30 am.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 139 — Wednesday 6 September 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, and read the Prayer.
- 2 **CORRECTIONS LEGISLATION FURTHER AMENDMENT BILL 2017** — Ms Neville obtained leave to bring in a Bill 'for an Act to amend the *Corrections Act 1986* and the *Major Crime (Investigative Powers) Act 2004*, to make consequential and minor amendments to the *Bail Act 1977* and the *Victoria Police Act 2013* and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **LONG SERVICE LEAVE BILL 2017** — Under s 85 of the *Constitution Act 1975*, Ms Hutchins gave a notice of intention to make a statement of the reason why that section should be altered or varied by the Bill.
- 4 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Anti-bullying Program — Requesting that the Legislative Assembly calls on the Government to remove the Safe Schools program and replace it with an anti-bullying program that is supported by school communities and parents, bearing 8 signatures (*Mr Angus*)

Voluntary Assisted Dying Legislation — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying in Victoria, bearing 175 signatures (*Mr Angus*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 1041 signatures (*Mr Dixon*)

Bayside Neighbourhood Residential Zones and Hampton Street Activity Centre — Requesting that the Legislative Assembly calls on the Government to ensure that the City of Bayside Neighbourhood Residential Zones remain in place to protect the residential amenity of the suburban streets of Bayside and further protect the Hampton Street Activity Centre through mandatory height limits, bearing 546 signatures (*Mr Thompson, Sandringham*)

Beach Road Narrowing — Requesting that the Legislative Assembly calls on the Government to oppose plans by the Kingston Council to reduce the width of Beach Road, bearing 194 signatures (*Mr Thompson, Sandringham*)

Cheltenham and Mentone Railway Station Parking — Requesting that the Legislative Assembly calls on the Government to immediately increase railway commuter car parking capacity proximate to Cheltenham and Mentone railway stations as part of the grade separation works, bearing 44 signatures (*Mr Thompson, Sandringham*)

Gender Neutral Pedestrian Traffic Lights — Requesting that the Legislative Assembly calls on the Government not to waste tax payer money on trials of gender neutral pedestrian traffic lights, bearing 8 signatures (*Mr Thompson, Sandringham*)

Pennydale Development — Requesting that the Legislative Assembly calls on the Government to minimise the density of development and better protect the leafy low density residential character of the Pennydale section of Cheltenham and provide for future growth on rezoned industrial land, bearing 11 signatures (*Mr Thompson, Sandringham*)

Possum Control Measures — Requesting that the Legislative Assembly calls on the Government to instigate action to minimise the property damage and disturbance to neighbourhood amenity caused by large possum populations in the City of Bayside and across metropolitan Melbourne, bearing 398 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

- 5 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — BAYSIDE NEIGHBOURHOOD RESIDENTIAL ZONES AND HAMPTON STREET ACTIVITY CENTRE** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 7 **PETITION — BEACH ROAD NARROWING** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 8 **PETITION — CHELTENHAM AND MENTONE RAILWAY STATION PARKING** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

- 9 **PETITION — GENDER NEUTRAL PEDESTRIAN TRAFFIC LIGHTS** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 10 **PETITION — PENNYDALE DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 11 **PETITION — POSSUM CONTROL MEASURES** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.
- 12 **PETITION — ANTI-BULLYING PROGRAM** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 13 **PETITION — VOLUNTARY ASSISTED DYING LEGISLATION** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 14 **ACTING SPEAKERS** — The following warrant appointing Acting Speakers was tabled by the Speaker:

VICTORIA
LEGISLATIVE ASSEMBLY

Under Standing Order 20, I appoint Paul Edbrooke, Tim Richardson, Natalie Suleyman and Gabrielle Williams to preside as Acting Speakers whenever requested to do so by the Speaker or the Deputy Speaker.

This warrant amends the previous warrants of 8 and 9 March 2017.

Given under my hand on 6 September 2017.

Hon Colin Brooks MP
SPEAKER.

15 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 12 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Caulfield Racecourse Reserve Bill 2017
Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017
Local Government (Central Goldfields Shire Council) Act 2017
Long Service Leave Bill 2017
Major Sporting Events Amendment (AFL Grand Final Tickets) Bill 2017
Renewable Energy (Jobs and Investments) Bill 2017
Residential Tenancies Amendment (Long-term Tenancy Agreements) Bill 2017
Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Report 2016–17

Land Tax Act 2005 — Report 1 June 2016 to 30 June 2017 of Land Tax Absentee Owner Surcharge Exemptions under s 3B

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — GC72
 Boroondara — C250
 Brimbank — C150
 Casey — GC72
 Darebin — GC42
 Greater Bendigo — C161 Part 1
 Manningham — GC42
 Melbourne — C245
 Monash — GC72
 Moreland — GC72
 Port Phillip — GC72
 Stonnington — GC72
 Victoria Planning Provisions — VC139
 Wangaratta — C61, C67
 Whitehorse — GC72
 Yarra — GC72

Road Safety Camera Commissioner — Report 2016–17

Statutory Rules under the following Acts:

Building Act 1993 — SR 87
City of Melbourne Act 2001 — SR 86
Conservation, Forests and Lands Act 1987 — SRs 88, 90, 91
County Court Act 1958 — SR 92
Electricity Safety Act 1998 — SR 85
Gas Safety Act 1997 — SR 89
Local Government Act 1989 — SR 86

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 86, 87, 88, 92

Documents under s 16B in relation to:

Education and Training Reform Act 2006:

Ministerial Order No 1038 — Teaching Service (Employment Conditions, Salaries, Allowances, Selection and Conduct)

Ministerial Order No 1039 — School Council Employees (Employment Conditions, Salaries, Allowances and Selection)

Radiation Act 2005:

Additional Matters to be Addressed in Security Standards for Security Plans and Transport Security Plans

Guidelines for the Verification of Identity

Security Standards for Security Plans and Transport Security Plans

Water Act 1989 — Amended Groundwater Management Plan for the Katunga Water Supply Protection Area Amendments 2017.

16 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Local Government (Central Goldfields Shire Council) Bill 2017 without amendment.

17 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 25 August 2017

Local Government (Central Goldfields Shire Council) Bill 2017

On 29 August 2017

Jury Directions and Other Acts Amendment Bill 2017

Justice Legislation Amendment (Court Security, Juries and Other Matters) Bill 2017

Public Administration Amendment (Public Sector Communication Standards) Bill 2016.

18 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Caulfield Racecourse Reserve Bill 2017

Long Service Leave Bill 2017

Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017.

19 **ELECTORAL MATTERS COMMITTEE** — The Speaker announced that he had received the resignation of Mr Northe from the Electoral Matters Committee, effective from 28 August 2017.

20 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That Ms Hutchins be appointed a member of the Dispute Resolution Committee (*Mr Pakula*) — put and agreed to.

21 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2):

(1) the Orders of the Day, Government Business, relating to the following bills be considered and completed by 6.30 pm on Wednesday 6 September 2017:

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017

Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017

Parks and Crown Land Legislation Amendment Bill 2017

Racing Amendment (Modernisation) Bill 2017; and

(2) the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 7 September 2017:

Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017

Residential Tenancies Amendment (Long-term Tenancy Agreements) Bill 2017

(*Mr Pakula*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy;

Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

22 **STATEMENTS BY MEMBERS** — Statements by members were made.

23 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Accountability and Oversight Committee's Report on the Victorian Oversight Agencies 2015–16

Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder

Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

Business having been interrupted at 11.00 am under sessional orders.

24 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

25 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

26 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements continued on Committee Reports.

27 **DOMESTIC ANIMALS AMENDMENT (RESTRICTED BREED DOGS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 2.00 pm under sessional orders.

28 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — ENERGY POLICIES** — The House was informed that Mr Southwick had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

"That this House condemns the Andrews Government and its reckless energy policies which have:

- (a) shut down the Hazelwood Power Station which reduced Victoria's electricity generation capacity by 22 per cent;
- (b) increased Victorian household energy bills by an average of \$300 this year causing hardship on many families;
- (c) seen huge increases for small and medium business with some paying up to 300 per cent more for electricity;

- (d) caused hundreds of jobs to be lost and companies to leave Victoria; and
- (e) left Victoria at risk of blackouts during peak demand periods such as summer as detailed by the Australian Energy Market Operator.'

Mr Southwick addressed the House — Discussion followed.

- 29 **DOMESTIC ANIMALS AMENDMENT (RESTRICTED BREED DOGS) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 30 **GAME MANAGEMENT AUTHORITY AMENDMENT BILL 2017** — The Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Game Management Authority Act 2014** to make provision in relation to the Game Management Authority and for other purposes.*'

On the motion of Mr Walsh, the Bill was read a first time and ordered to be read a second time tomorrow.

- 31 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 6 September 2017 had expired.

- 32 **PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 33 **RACING AMENDMENT (MODERNISATION) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 34 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 35 **DOMESTIC ANIMALS AMENDMENT (RESTRICTED BREED DOGS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 36 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2017–18 budget papers.
Motion made and question — That the debate be now adjourned (*Ms Knight*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.
- 37 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.
- 38 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 140 — Thursday 7 September 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Booran Road Pedestrian Crossing** — Requesting that the Legislative Assembly calls on the Government to install variable electronic speed signage at the Booran Road pedestrian crossing, bearing 68 signatures (*Mr Southwick*)
- South Gippsland Highway** — Requesting that the Legislative Assembly calls on the Government to — (a) reduce the speed limit on South Gippsland Highway within one kilometre of Lighthouse Christian College to 80km/h at all times; (b) reduce the speed limit to 60km/h during school drop off and pick up times; and (c) install slow down signs approaching the College, bearing 1913 signatures (*Mr Perera*)
- Maroondah Highway Traffic** — Requesting that the Legislative Assembly calls on the Government to address the merging traffic issues on Maroondah Highway west of Warburton by — (a) installing traffic lights; (b) reducing the speed limit from Warburton Highway to Maroondah Highway; and (c) installing signage to indicate entry to Mangans Road and Tudor Village, bearing 360 signatures (*Mrs Fyffe*)
- Voluntary Assisted Dying Legislation** — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying in Victoria, bearing 104 signatures (*Mrs Fyffe*)
- Poowong Public Transport** — Requesting that the Legislative Assembly calls on the Government to provide public transport services to the township of Poowong, bearing 762 signatures (*Mr O'Brien, Gippsland South*)

Non-Racing Greyhounds — Requesting that the Legislative Assembly calls on the Government to immediately remove the requirement for non-racing greyhounds to be muzzled, bearing 2048 signatures (*Mr Hibbins*)

Princes Highway and Gnotuk Lane — Requesting that the Legislative Assembly calls on the Government to support funding to implement an 80km/h speed limit and warning lights on the Princes Highway near Gnotuk Lane in Camperdown, bearing 95 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

3 **PETITION — BOORAN ROAD PEDESTRIAN CROSSING** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

4 **PETITION — POOWONG PUBLIC TRANSPORT** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

5 **PETITION — SOUTH GIPPSLAND HIGHWAY** — Motion made and question — That the petition presented by the Member for Cranbourne be taken into consideration tomorrow (*Mr Perera*) — put and agreed to.

6 **PETITION — MAROONDAH HIGHWAY TRAFFIC** — Motion made and question — That the petition presented by the Member for Evelyn be taken into consideration tomorrow (*Mrs Fyffe*) — put and agreed to.

7 **PETITION — VOLUNTARY ASSISTED DYING LEGISLATION** — Motion made and question — That the petition presented by the Member for Evelyn be taken into consideration tomorrow (*Mrs Fyffe*) — put and agreed to.

8 **PETITION — NON-RACING GREYHOUNDS** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

9 **PETITION — PRINCES HIGHWAY AND GNOTUK LANE** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

10 **DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT** — The Acting Clerk tabled the following document in accordance with an Act of Parliament:

Ombudsman — Enquiry into the provision of alcohol and drug rehabilitation services following contact with the criminal justice system — Ordered to be published.

11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 19 September 2017 (*Mr Pakula*) — put and agreed to.

12 **STATEMENTS BY MEMBERS** — Statements by members were made.

13 **LONG SERVICE LEAVE BILL 2017** — Ms Hutchins made a statement under s 85(5)(c) of the *Constitution Act 1975* of the reasons why that section should be altered or varied by clause 25 of the Long Service Leave Bill 2017.

14 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE** — Motion made and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry into career advice activities in

Victorian schools be referred to the Economic, Education, Jobs and Skills Committee for consideration and report no later than 30 September 2018 and the inquiry should include, but not be limited to:

- (1) examining the relationship between career advice activities and workforce participation of young Victorians;
- (2) investigating the extent to which career advice activities meet the needs of school leavers;
- (3) examining the challenges advisers face helping young Victorians transition from education to the workforce;
- (4) considering strategies to improve the effectiveness of career advice activities for school leavers;
- (5) investigate the career advice needs of young people in regional Victoria and ways to address these needs; and
- (6) exploring what other jurisdictions both in Australia and overseas have in place that could be implemented in Victoria. —

(*Mr Pakula*) — put, after debate, and agreed to.

- 15 **ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE** — Motion made and question — That, under s 33 of the *Parliamentary Committees Act 2003*, an inquiry into the efficacy of the Commonwealth Government's National Broadband Network rollout on regional communities be referred to the Economic, Education, Jobs and Skills Committee for consideration and report and, in particular, the Committee should:

- (1) investigate the implications of poor internet connectivity and speed on productivity and jobs growth in regional Victoria;
- (2) report into regional digital connectivity and the consequences of not rolling out the NBN with fibre to the node; and
- (3) identify gaps in regional service delivery. —

(*Mr Pakula*) — and, after debate —

Amendment proposed — That the words 'service delivery.' be omitted with the view of inserting in their place the words 'service delivery';

- (4) investigate what the State can do to embrace new technology to further improve internet connectivity; and
- (5) make recommendations that ensure sufficient power is available to further enhance ICT opportunities relating to big data and tech so Victoria can be a leader in the technology future.' —

(*Mr Southwick*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

Original question — put and agreed to.

- 16 **CORRECTIONS LEGISLATION FURTHER AMENDMENT BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 21 September 2017.

- 17 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 18 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 19 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 20 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and considered in detail (*see p 647*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 6 September 2017 had expired.

Question — That clause 18 stands part of the Bill — put and agreed to.

Question — That clause 19 stands part of the Bill, the Bill be agreed to without amendment and that this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (REAL-TIME PRESCRIPTION MONITORING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.29 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 138, 139 and 140

No 140 — Thursday 7 September 2017

RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017

Clauses 1 to 17 agreed to.

Clause 18 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Wednesday 6 September 2017 had expired (for remaining stages see p 645).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 141, 142 and 143

No 141 — Tuesday 19 September 2017

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **FIREARMS AMENDMENT BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the **Firearms Act 1996** and to make consequential and related amendments to the **Control of Weapons Act 1990**, the **Criminal Organisations Control Act 2012** and the **Fortification Removal Act 2013** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

5 **GAMBLING REGULATION AMENDMENT (GAMING MACHINE ARRANGEMENTS) BILL 2017** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the **Gambling Regulation Act 2003** in relation to gaming machine entitlements, Responsible Gambling Codes of Conduct, self-exclusion programs, standard conditions, agreements, cashless gaming and forms of money and credit, references to the Melbourne Statistical Division and to make related amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **FINES REFORM AMENDMENT BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Fines Reform Act 2014**, the **Bail Amendment (Stage One) Act 2017**, the **Children, Youth and Families Act 2005**, the **Infringements Act 2006**, the **Magistrates' Court Act 1989**, the **Road Safety Act 1986**, the **Sentencing Act 1991** and the **Sheriff Act 2009** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **PLANNING AND ENVIRONMENT AMENDMENT (PUBLIC LAND CONTRIBUTIONS) BILL 2017** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Planning and Environment Act 1987** to introduce a land contribution model for the infrastructure contributions plan scheme, to increase and provide for the indexation of the community infrastructure levy and to make other miscellaneous amendments, to make consequential amendments to the **Subdivision Act 1988** and the **Building Act 1993** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

8 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 13 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Caulfield Racecourse Reserve Bill 2017

Corrections Legislation Further Amendment Bill 2017

Local Government (Central Goldfields Shire Council) Act 2017

Long Service Leave Bill 2017

Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017

Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017

together with appendices.

Ordered to be tabled and published.

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE — Mrs Fyffe presented a report from the Economic, Education, Jobs and Skills Committee on the Inquiry into community energy projects, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Edinburgh Gardens Reserve

Order under s 17D granting a lease over Bush Park Reserve

Duties Act 2000:

Reports 2016–17 of exemptions and refunds under ss 250B and 250DD (two documents)

Report 1 January to 30 June 2017 of Foreign Purchaser Additional Duty Exemptions under s 3E

Financial Management Act 1994 — Report from the Minister for Agriculture that she had received the Report 2016–17 of the Victorian Strawberry Industry Development Committee

Independent Broad-based Anti-corruption Commission — Operation Tone: Special report concerning drug use and associated corrupt conduct involving Ambulance Victoria paramedics — Ordered to be published

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Ministerial Order No 1039 — School Council Employees (Employment Conditions, Salaries, Allowances and Selection) Order 2017 (*Gazette G36, 7 September 2017*)

Statutory Rule 44 (*Gazette G28, 13 July 2017*)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Baw Baw — C114

Boroondara — C252

Glen Eira — C152

Greater Shepparton — C201

Melton — C162, C183

Wyndham — C197

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 85, 89, 90, 91

Documents under s 16B in relation to the *Financial Management Act 1994* — Order declaring CenITex a specified entity

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q

Victoria Grants Commission — Report year ended 31 August 2017

Victorian Broiler Industry Negotiation Committee — Report 2016–17

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Crimes Legislation Amendment (Public Order) Act 2017 — Whole Act — 13 September 2017 (*Gazette S303, 12 September 2017*)

Education and Care Services National Law Amendment Act 2017 — Part 1, Part 2 (except ss 30, 31 and 68), Part 3 and Part 4 — 1 October 2017; remaining provisions — 1 February 2018 (*Gazette S303, 12 September 2017*).

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Administration and Probate and Other Acts Amendment (Succession and Related Matters) Bill 2016
Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017
Land Legislation Amendment Bill 2017.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Owner Drivers and Forestry Contractors Amendment Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 12 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 12 September 2017

Drugs, Poisons and Controlled Substances Miscellaneous Amendment Bill 2017

On 19 September 2017

Administration and Probate and Other Acts Amendment (Succession and Related Matters) Bill 2016
Land Legislation Amendment Bill 2017.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 21 September 2017:

Renewable Energy (Jobs and Investment) Bill 2017

Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017

Caulfield Racecourse Reserve Bill 2017

Oaths and Affirmations Bill 2017

Corrections Legislation Further Amendment Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire;

Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

14 **STATEMENTS BY MEMBERS** — Statements by members were made.

15 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

16 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

17 **RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Ms Sandell announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 142 — Wednesday 20 September 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **VOLUNTARY ASSISTED DYING BILL 2017** — Ms Hennessy obtained leave to bring in a Bill '*for an Act to provide for and regulate access to voluntary assisted dying, to establish the Voluntary Assisted Dying Review Board, to make consequential amendments to the Births, Deaths and Marriages Registration Act 1996, the Coroners Act 2008, the Drugs, Poisons and Controlled Substances Act 1981, the Health Records Act 2001, the Medical Treatment Planning and Decisions Act 2016, the Pharmacy Regulation Act 2010 and other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 970 signatures (*Mr Dixon*).

Ordered to be tabled.

- 4 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 5 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Lower Reserve

Orders under s 17D granting leases over:

Lower Reserve

Williamstown Botanical Gardens

Financial Management Act 1994 — Report from the Minister for Planning that he had received the Report 2016–17 of the Heritage Council of Victoria

Statutory Rules under the following Acts:

Borrowing and Investment Powers Act 1987 — SR 95

Racing Act 1958 — SR 94

Sex Work Act 1994 — SR 93

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rule 93

Documents under s 16B in relation to the *City of Greater Geelong Act 1993* — Mayoral Allowances — Greater Geelong City Council.

- 6 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017

Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017.

- 7 **CHILDREN AND JUSTICE LEGISLATION AMENDMENT (YOUTH JUSTICE REFORM) BILL 2017** — The Speaker announced that he had received a report from the Acting Clerk of the Parliaments, that under Joint Standing Order 6(1), he has made the following corrections in the Bill:

Clause 6 of the Bill inserts new section 522A into the *Children, Youth and Families Act 2005*. He has deleted the quotation mark and second full stop at the end of subsection (2) of new section 522A. They are not required as the inserted text finishes at the end of subsection (3). He has inserted a quotation mark and second full stop at the end of subsection (3).

- 8 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election.

- 10 **NEW SESSIONAL ORDER** — Motion made and question proposed — That the following new sessional order be adopted, to come into effect upon a video on demand service for House proceedings of the Legislative Assembly, accessible only by Assembly members and parliamentary officers authorised by the Clerk or the Secretary of the Department of Parliamentary Services, being implemented —

'15 **Rebroadcasting**

Rebroadcast of an official broadcast is permitted, subject to the following conditions:

- (1) the material must only be used for the purposes of fair and accurate reports of proceedings and must not in any circumstances be used for:
 - (a) satire or ridicule; or
 - (b) commercial sponsorship or commercial advertising;
- (2) broadcast material must not be digitally manipulated;
- (3) excerpts of proceedings are to be placed in context so as to avoid any misrepresentation; and
- (4) remarks withdrawn are not to be rebroadcast unless the withdrawal is also rebroadcast.'

(Ms Allan) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 13 **NEW SESSIONAL ORDER** — Debate continued on question — That the following new sessional order be adopted, to come into effect upon a video on demand service for House proceedings of the Legislative Assembly, accessible only by Assembly members and parliamentary officers authorised by the Clerk or the Secretary of the Department of Parliamentary Services, being implemented —

'15 Rebroadcasting

Rebroadcast of an official broadcast is permitted, subject to the following conditions:

- (1) the material must only be used for the purposes of fair and accurate reports of proceedings and must not in any circumstances be used for:
 - (a) satire or ridicule; or
 - (b) commercial sponsorship or commercial advertising;
- (2) broadcast material must not be digitally manipulated;
- (3) excerpts of proceedings are to be placed in context so as to avoid any misrepresentation; and
- (4) remarks withdrawn are not to be rebroadcast unless the withdrawal is also rebroadcast.'

— put and agreed to.

- 14 **PLANNING AND ENVIRONMENT AMENDMENT (PUBLIC LAND CONTRIBUTIONS) BILL 2017** — *Mr Pakula, on behalf of Mr Wynne, tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 October 2017.

- 15 **GAMBLING REGULATION AMENDMENT (GAMING MACHINE ARRANGEMENTS) BILL 2017** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 October 2017.

- 16 **FINES REFORM AMENDMENT BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 October 2017.

- 17 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 18 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — DONATION REFORMS** — The House was informed that Mr Pakula had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

That this House notes:

- (1) the important donation reforms announced this week by the Andrews Labor Government;
- (2) that these reforms stand in stark contrast to the Leader of the Opposition's secret penthouse meeting outlined in an article published on 19 September 2017 in *The Age* titled '\$10,000 for access to Guy.'

Mr Pakula addressed the House — Discussion followed.

- 19 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 5 be postponed until later this day.

- 21 **OATHS AND AFFIRMATIONS BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.18 pm.

No 143 — Thursday 21 September 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Traffic Lights Mountain Highway, Bayswater — Requesting that the Legislative Assembly calls on the Government to reprogram the traffic light cycle of the right turn arrow on Mountain Highway into Valentines Street, Bayswater, bearing 35 signatures (*Ms Victoria*)

Young Street Frankston Improvement Project — Requesting that the Legislative Assembly calls on the Government to — (a) ensure that work on the Young Street Frankston Improvement Project continues nonstop for completion at the earliest date; and (b) provide Young Street traders with compensation for lost trade caused by delays to the completion date, bearing 3235 signatures (*Mr Burgess*)

Mandatory Minimum Sentences — Requesting that the Legislative Assembly calls on the Government to introduce mandatory minimum sentences for violent criminals, bearing 4683 signatures (*Mr Crisp*).

Petitions ordered to be tabled.

- 3 **PETITION — YOUNG STREET FRANKSTON IMPROVEMENT PROJECT** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 4 **PETITION — MANDATORY MINIMUM SENTENCES** — Motion made and question — That the petition presented by the Member for Mildura be taken into consideration tomorrow (*Mr Crisp*) — put and agreed to.
- 5 **PETITION — TRAFFIC LIGHTS MOUNTAIN HIGHWAY, BAYSWATER** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.
- 6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Adult, Community and Further Education Board — Report 2016–17

AMES Australia — Report 2016–17

Australian Centre for the Moving Image — Report 2016–17

Australian Grand Prix Corporation — Report 2016–17

Barwon Region Water Corporation — Report 2016–17

Central Gippsland Region Water Corporation — Report 2016–17

Central Highlands Region Water Corporation — Report 2016–17

City West Water Corporation — Report 2016–17

Coliban Region Water Corporation — Report 2016–17

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- Corangamite Catchment Management Authority — Report 2016–17
- Crown Land (Reserves) Act 1978* — Order under s 17D granting a lease over Moorooduc Recreation Reserve
- Disability Services Commissioner — Report 2016–17
- Docklands Studios Melbourne Pty Ltd — Report 2016–17
- East Gippsland Catchment Management Authority — Report 2016–17
- East Gippsland Region Water Corporation — Report 2016–17
- Economic Development, Jobs, Transport and Resources, Department of — Report 2016–17
- Education and Training, Department of — Report 2016–17
- Emerald Tourist Railway Board — Report 2016–17
- Emergency Services Superannuation Scheme — Report 2016–17
- Energy Safe Victoria — Report 2016–17
- Environment, Land, Water and Planning, Department of — Report 2016–17
- Environment Protection Authority — Report 2016–17
- Fed Square Pty Ltd — Report 2016–17
- Film Victoria — Report 2016–17
- Financial Management Act 1994* — Financial Report for the State of Victoria 2016–17, incorporating Quarterly Financial Report No 4 — Ordered to be published
- Freedom of Information Commissioner — Report 2016–17
- Geelong Performing Arts Centre Trust — Report 2016–17
- Gippsland and Southern Rural Water Corporation — Report 2016–17
- Glenelg Hopkins Catchment Management Authority — Report 2016–17
- Goulburn Broken Catchment Management Authority — Report 2016–17
- Goulburn Murray Rural Water Corporation — Report 2016–17
- Goulburn Valley Region Water Corporation — Report 2016–17
- Grampians Wimmera Mallee Water Corporation — Report 2016–17
- Independent Broad-based Anti-corruption Commission — Report 2016–17 — Ordered to be published
- Kardinia Park Stadium Trust — Report 2016–17
- Library Board of Victoria — Report 2016–17

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- Lower Murray Urban and Rural Water Corporation — Report 2016–17
- Mallee Catchment Management Authority — Report 2016–17
- Melbourne and Olympic Parks Trust — Report 2016–17
- Melbourne Convention and Exhibition Trust — Report 2016–17
- Melbourne Cricket Ground Trust — Report 2016–17
- Melbourne Port Lessor Pty Ltd — Report 2016–17
- Melbourne Recital Centre — Report 2016–17
- Melbourne Water Corporation — Report 2016–17
- Members of Parliament (Register of Interests) Act 1978* — Summary of Returns June 2017 and Summary of Variations notified between 3 August 2017 and 20 September 2017 and Summary of Primary Return June 2017 — Ordered to be published
- Mental Health Complaints Commissioner — Report 2016–17
- Mental Health Tribunal — Report 2016–17
- Museums Board of Victoria — Report 2016–17
- National Gallery of Victoria, Council of Trustees — Report 2016–17
- National Parks Act 1975* — Report 2016–17 on the working of the Act
- National Parks Advisory Council — Report 2016–17
- North Central Catchment Management Authority — Report 2016–17
- North East Catchment Management Authority — Report 2016–17
- North East Region Water Corporation — Report 2016–17
- Phillip Island Nature Parks — Report 2016–17
- Places Victoria — Report year ending 31 March 2017
- Port of Hastings Development Authority — Report 2016–17
- Port Phillip and Westernport Catchment Management Authority — Report 2016–17
- Premier and Cabinet, Department of — Report 2016–17
- Public Record Office Victoria — Report 2016–17
- Roads Corporation (VicRoads) — Report 2016–17
- Rolling Stock Holdings (Victoria) Pty Ltd — Report 2016–17
- Rolling Stock (Victoria-VL) Pty Ltd — Report 2016–17

Rolling Stock (VL-1) Pty Ltd — Report 2016–17

Rolling Stock (VL-2) Pty Ltd — Report 2016–17

Rolling Stock (VL-3) Pty Ltd — Report 2016–17

South East Water Corporation — Report 2016–17

State Electricity Commission of Victoria — Report 2016–17

State Sport Centres Trust — Report 2016–17

State Trustees Ltd — Report 2016–17

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 94

Transport Accident Commission — Report 2016–17

Treasury Corporation of Victoria — Report 2016–17

V/Line Corporation — Report 2016–17

Victorian Arts Centre Trust — Report 2016–17

Victorian Catchment Management Council — Report 2016–17

Victorian Coastal Council — Report 2016–17

Victorian Curriculum and Assessment Authority — Report 2016–17

Victorian Environmental Assessment Council — Report 2016–17

Victorian Funds Management Corporation — Report 2016–17

Victorian Government Purchasing Board — Report 2016–17

Victorian Institute of Teaching — Report 2016–17

Victorian Managed Insurance Authority — Report 2016–17

Victorian Multicultural Commission — Report 2016–17

Victorian Planning Authority — Report 2016–17

Victorian Ports Corporation (Melbourne) — Report 2016–17

Victorian Public Sector Commission — Report 2016–17

Victorian Rail Track — Report 2016–17

Victorian Regional Channels Authority — Report 2016–17

Victorian Registration and Qualifications Authority — Report 2016–17

Victorian Veterans Council — Report 2016–17

Victorian WorkCover Authority — Report 2016–17

VITS Languagelink — Report 2016–17

Wannon Region Water Corporation — Report 2016–17

West Gippsland Catchment Management Authority — Report 2016–17

Western Region Water Corporation — Report 2016–17

Wimmera Catchment Management Authority — Report 2016–17

Yarra Valley Water Corporation — Report 2016–17.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 17 October 2017 (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **VOLUNTARY ASSISTED DYING BILL 2017** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 17 October 2017.

10 **FIREARMS AMENDMENT BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 5 October 2017.

11 **CAULFIELD RACECOURSE RESERVE BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

14 **CAULFIELD RACECOURSE RESERVE BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

15 **ISSUE OF WRIT** — The Speaker announced that today he issued a writ for a by-election for the Electoral District of Northcote to be held on 18 November 2017.

16 **CORRECTIONS LEGISLATION FURTHER AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Yarra River Protection (Wilip-gin Birrarung murrn) Bill 2017 without amendment.

18 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2017–18 budget papers — put, after debate, and agreed to.

19 **RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill considered in detail (*see p 665*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 September 2017 had expired.

Question — That clause 1 stands part of the Bill — put and agreed to.

Question — That clauses 2 to 10 stand part of the Bill, the Bill be agreed to without amendment, and the Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **OATHS AND AFFIRMATIONS BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **CAULFIELD RACECOURSE RESERVE BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 23 **CORRECTIONS LEGISLATION FURTHER AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.07 pm under sessional orders.

- 24 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.47 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 141, 142 and 143

No 143 — Thursday 21 September 2017

RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017

Clause 1 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 September 2017 had expired (for remaining stages see p 662).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 144, 145 and 146

No 144 — Tuesday 17 October 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF DONALD JAMES MACKINNON** — The Speaker announced the death of Donald James MacKinnon, Member of the Legislative Assembly for the Electoral District of Box Hill from 1976 to 1982; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **APPOINTMENT OF OFFICER OF PARLIAMENT** — The Speaker informed the House that, under s 10 of the *Parliamentary Administration Act 2005*, he recommended Bridget Noonan, the Deputy Clerk, to be Clerk of the House, following the retirement of Raymond William Purdey. The Governor in Council was pleased to make the appointment in accordance with the recommendation.
- 4 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 5 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 6 **VICTORIAN DATA SHARING BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to establish the office of Chief Data Officer, to promote the sharing and use of public sector data for the purpose of supporting government policy making, to amend the **Privacy and Data Protection Act 2014** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **COMPENSATION LEGISLATION AMENDMENT BILL 2017** — Mr Scott obtained leave to bring in a Bill '*for an Act to amend the **Transport Accident Act 1986** to remove the medical excess for persons who are injured as a result of a transport accident, to amend the **Workplace Injury Rehabilitation and Compensation Act 2013** to make further provision in relation to jockeys and apprentice jockeys and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the **Gambling Regulation Act 2003** to make miscellaneous amendments to that Act, and to amend the **Victorian Commission for Gambling and Liquor Regulation Act 2011** to improve the governance arrangements of the Commission and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — Mr Pallas obtained leave to bring in a Bill '*for an Act to amend the **Offshore Petroleum and Greenhouse Gas Storage Act 2010** to provide protections for the holders of petroleum titles affected by changes to the boundary between the offshore area and the Commonwealth defined offshore area*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 10 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Former Moonee Ponds Market Site — Requesting that the Legislative Assembly calls on the Minister for Planning to honour his commitment to return height controls to local council and rescind his approval of a 30 storey tower at the former Moonee Ponds market site in favour of a mandatory height of no more than 16 storeys, bearing 1595 signatures (*Mr Pearson*).

Ordered to be tabled.

- 11 **PETITION — FORMER MOONEE PONDS MARKET SITE** — Motion made and question — That the petition presented by the Member for Essendon be taken into consideration tomorrow (*Mr Pearson*) — put and agreed to.

12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 14 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Corrections Legislation Further Amendment Bill 2017
 Fines Reform Amendment Bill 2017
 Firearms Amendment Bill 2017
 Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017
 Planning and Environment Amendment (Public Land Contributions) Bill 2017
 Voluntary Assisted Dying Bill 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Lake Wendouree Public Recreation Reserve and Public Gardens Reserve
 Point Leo Foreshore

Orders under s 17D granting leases over:

Boatshed Restaurant, Lake Wendouree Public Recreation Reserve, Ballarat
 W G Little Reserve Portarlington

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2017 under s 303

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 89 (*Gazette G38, 21 September 2017*)

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Major Sporting Events Act 2009 — Major Sporting Event Order under s 22 (*Gazette G33, 17 August 2017*)

National Rail Safety Regulator, Office of — Report 2016–17

Ombudsman:

Investigation into the management and protection of disability group home residents by the Department of Health and Human Services and Autism Plus — Ordered to be published
Report 2016–17 — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — GC13
Alpine Resorts — GC13
Ararat — GC13
Ballarat — GC13
Banyule — GC13
Bass Coast — GC13
Baw Baw — GC13
Bayside — GC70
Benalla — C37, GC13
Boroondara — C243 Part 1, C251, C265, C269
Brimbank — GC74
Buloke — GC13
Campaspe — GC13
Cardinia — GC13
Casey — GC13
Central Goldfields — GC13
Colac Otway — GC13
Corangamite — GC13
East Gippsland — C138, GC13
Frankston — GC13
French Island and Sandstone Island — GC13
Gannawarra — GC13
Glenelg — GC13
Glen Eira — C150, C170
Golden Plains — GC13
Greater Bendigo — GC13
Greater Geelong — C342, C361, GC13
Greater Shepparton — C188, GC13
Hepburn — GC13
Hindmarsh — GC13
Hobsons Bay — C111, GC74
Horsham — GC13
Hume — GC13
Indigo — GC13
Kingston — GC70
Knox — GC13
Latrobe — GC13
Loddon — GC13
Macedon Ranges — GC13
Manningham — GC13
Mansfield — GC13
Maribyrnong — C146
Maroondah — GC13
Melton — GC13, GC69, GC74
Mildura — GC13
Mitchell — C109, C117 Part 1, GC13
Moirā — GC13
Mooney Valley — C183

Moorabool — GC13, GC69
 Mornington Peninsula — GC13
 Mount Alexander — GC13
 Moyne — GC13
 Murrindindi — GC13
 Nillumbik — GC13
 Northern Grampians — GC13
 Port Phillip — C132, C135
 Pyrenees — GC13
 Queenscliffe — GC13
 South Gippsland — GC13
 Southern Grampians — GC13
 Stonnington — C248, C263
 Strathbogie — GC13
 Surf Coast — GC13
 Swan Hill — GC13
 Towong — GC13
 Victorian Planning Provisions — VC132
 Wangaratta — GC13
 Warrnambool — GC13
 Wellington — GC13
 West Wimmera — GC13
 Whitehorse — GC13
 Whittlesea — C210, C211, GC13
 Wodonga — GC13
 Wyndham — GC74
 Yarra Ranges — GC13
 Yarriambiack — GC13

Professional Standards Act 2003 — The Institute of Public Accountants Professional Standards Scheme under s 14 (*Gazette S339, 9 October 2017*)

Public Transport Development Authority — Report 2016–17

South Gippsland Region Water Corporation — Report 2016–17

Statutory Rules under the following Acts:

Children's Services Act 1996 — SR 96

Road Safety Act 1986 — SR 100

Supreme Court Act 1986 — SRs 97, 98

Victoria State Emergency Service Act 2005 — SR 99

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 96, 97, 98, 99, 100

Taxi Services Commission — Report 2016–17.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Commercial Passenger Vehicle Industry Act 2017 — Division 1 of Part 3 — 9 October 2017 (*Gazette S331, 3 October 2017*)

Drugs, Poisons and Controlled Substances Miscellaneous Amendment Act 2017 — Part 1 and ss 6, 7, 19, 21, 22 and 23 — 21 October 2017 (*Gazette S340, 10 October 2017*)

Justice Legislation Amendment (Court Security, Juries and Other Matters) Act 2017 — Part 6 — 11 October 2017 (Gazette S331, 3 October 2017)
Public Administration Amendment (Public Sector Communication Standards) Act 2017 — Whole Act — 26 September 2017 (Gazette S325, 26 September 2017)
Sex Offenders Registration Amendment (Miscellaneous) Act 2017 — Part 1 and s 49 — 23 September 2017 (Gazette S314, 19 September 2017).

- 13 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017
 WorkSafe Legislation Amendment Bill 2017.

- 14 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Speaker announced that he had received the following letter from the Lieutenant-Governor:

3 October 2017

The Hon Colin Brooks MP
 Speaker of the Legislative Assembly
 Parliament House
 Spring Street
 East Melbourne Vic 3002

Dear Speaker

I advise that on 28 September 2017, I received from Mr Greg Barber, his written resignation as a Member of the Victorian Legislative Council.

I enclose for your information a copy of his letter. I have also sent a copy to the Hon Acting Premier, and to the President of the Legislative Council.

Yours sincerely

The Hon Marilyn Warren AC
 Lieutenant-Governor.

- 15 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 26 September 2017, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017
 Domestic Animals Amendment (Restricted Breed Dogs) Bill 2017
 Justice Legislation Amendment (Protective Services Officers and Other Matters) Bill 2017
 Owner Drivers and Forestry Contractors Amendment Bill 2016
 Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Bill 2017
 WorkSafe Legislation Amendment Bill 2017
 Yarra River Protection (Wilip-gin Birrarung murrong) Bill 2017.

- 16 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Fines Reform Amendment Bill 2017
 Firearms Amendment Bill 2017
 Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017

Planning and Environment Amendment (Public Land Contributions) Bill 2017
Voluntary Assisted Dying Bill 2017.

17 **SUSPENSION OF SESSIONAL ORDER** — Motion made, by leave, and question — That Sessional Order 2 be suspended during the sitting week starting 17 October 2017 so as to allow SO 32 to operate during the sitting week (*Ms Allan*) — put, after debate, and agreed to.

18 **STATEMENTS BY MEMBERS** — Statements by members were made.

19 **VOLUNTARY ASSISTED DYING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'the House declines to read the Bill a second time until concerns have been addressed regarding:

- (1) inequalities in access to best practice palliative care, particularly for lower income families and in rural and regional Victoria;
- (2) uncertainties about the substances to be used and their possible side effects and risks;
- (3) the risks of doctor shopping and the development of assisted dying clinics;
- (4) the lack of adequate protections against family violence, elder abuse and prejudice against people with disabilities; and
- (5) inadequate safeguards for persons who seek assisted dying while suffering from treatable clinical depression or other mental illness' (*Mr Merlino*) — and, after debate —

Mr Smith (Warrandyte) announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Ms McLeish announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Business having been interrupted at 10.00 pm under standing orders.

Motion made and question — That the sitting be continued (*Mr Eren*) — put and agreed to.

Debate resumed on question — That this Bill be now read a second time — and on the amendment.

And the House having continued to sit after midnight —

WEDNESDAY 18 OCTOBER 2017

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

20 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Mr Donnellan*) — put and agreed to.

21 **ADJOURNMENT** — The Deputy Speaker left the Chair, after debate, at 12.26 am.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 145 — Wednesday 18 October 2017

1 The Speaker took the Chair and read the Prayer.

2 **COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT (FURTHER REFORMS) BILL 2017** — Ms Allan obtained leave to bring in a Bill *'for an Act to amend the Commercial Passenger Vehicle Industry Act 2017 to provide for a new framework for the regulation of the commercial passenger vehicle industry in Victoria and make consequential amendments to other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.

3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Boronia Heights Secondary College Former Site — Requesting that the Legislative Assembly calls on the Government not to develop the site of the former Boronia Heights Secondary College, and instead return it to the people in the form of public open space, bearing 44 signatures (*Ms Victoria*)

Miller Park Boronia Resurfacing Works — Requesting that the Legislative Assembly calls on the Government to fund drainage and resurfacing works at Miller Park, Boronia, bearing 107 signatures (*Ms Victoria*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 900 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

4 **PETITION — BORONIA HEIGHTS SECONDARY COLLEGE FORMER SITE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

5 **PETITION — MILLER PARK BORONIA RESURFACING WORKS** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

6 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

7 **DOCUMENTS**

PARLIAMENTARY DEPARTMENTS — Reports 2016–17 of the Department of the Legislative Assembly and the Department of Parliamentary Services tabled by leave (*Ms Edwards*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Agriculture Victoria Services Pty Ltd — Report 2016–17

Auditor-General — Victorian Public Hospital Operating Theatre Efficiency — Ordered to be published

Dairy Food Safety Victoria — Report 2016–17

Financial Management Act 1994:

Reports from the Minister for Agriculture that she had received the reports 2016–17 of the:

Greater Sunraysia Pest Free Area Industry Development Committee

Murray Valley Wine Grape Industry Development Committee

Phytogene Pty Ltd

PrimeSafe

Veterinary Practitioners Registration Board of Victoria

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2016–17 of the:

Barwon South West Waste and Resource Recovery Group

Grampians Central West Waste and Resource Recovery Group

Loddon Mallee Waste and Resource Recovery Group

Reports from the Acting Minister for Planning that she had received the reports 2016–17 of the:

Architects Registration Board of Victoria

Surveyors Registration Board of Victoria

Infrastructure Victoria Act 2015 — Victorian Infrastructure Plan and Technical Report (two documents)

Melbourne Market Authority — Report 2016–17

Regional Development Victoria — Report 2016–17

Royal Botanic Gardens Board Victoria — Report 2016–17

Statutory Rules under the following Acts:

Magistrates' Court Act 1989 — SR 103

Owner Drivers and Forestry Contractors Act 2005 — SR 101

Water Act 1989 — SR 102

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 101, 103

Sustainability Victoria — Report 2016–17

Trust for Nature (Victoria) — Report 2016–17

Victorian Building Authority — Report 2016–17

Victorian Environmental Water Holder — Report 2016–17

Victorian Small Business Commissioner — Report 2016–17 — Ordered to be published

Westernport Region Water Corporation — Report 2016–17

Zoological Parks and Gardens Board — Report 2016–17.

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Greg Barber and that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday 18 October 2017 at 6.30 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 18 October 2017 at 6.30 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Greg Barber (*Ms Allan*) — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Environment Protection Bill 2017

Health Legislation Amendment (Quality and Safety) Bill 2017.

- 10 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 11 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects

Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

- 12 **VICTORIAN DATA SHARING BILL 2017** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 1 November 2017.

- 13 **COMPENSATION LEGISLATION AMENDMENT BILL 2017** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 1 November 2017.

- 14 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 1 November 2017.

- 15 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 1 November 2017.

- 16 **VOLUNTARY ASSISTED DYING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'the House declines to read the Bill a second time until concerns have been addressed regarding:

- (1) inequalities in access to best practice palliative care, particularly for lower income families and in rural and regional Victoria;
- (2) uncertainties about the substances to be used and their possible side effects and risks;
- (3) the risks of doctor shopping and the development of assisted dying clinics;
- (4) the lack of adequate protections against family violence, elder abuse and prejudice against people with disabilities; and
- (5) inadequate safeguards for persons who seek assisted dying while suffering from treatable clinical depression or other mental illness'; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 17 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 18 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 19 **VOLUNTARY ASSISTED DYING BILL 2017** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Business having been interrupted at 2.00 pm under sessional orders.

- 20 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 21 **VOLUNTARY ASSISTED DYING BILL 2017** — Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Mr O'Brien (Malvern) announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time — and on the amendment.

Business having been interrupted at 10.00 pm under standing orders.

Motion made and question — That the sitting be continued (*Mr Wynne*) — put and agreed to.

Debate continued on question — That this Bill be now read a second time — and on the amendment.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Asher; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Staley; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 39

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Carbines; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 49

Ms Allan; Mr Andrews; Ms Asher; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Ms McLeish; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Staley; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Carbines; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

By leave, Mr Clark announced amendments to be proposed by Ms Blandthorn, Mr Clark and Ms Kairouz when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Ordered — That consideration in detail be deferred until tomorrow.

22 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.

23 **ADJOURNMENT** — The House, after debate, having continued to sit after midnight —

THURSDAY 19 OCTOBER 2017

The Speaker left the Chair, after debate, at 12.01 am.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 146 — Thursday 19 October 2017

1 The Speaker took the Chair and read the Prayer.

2 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met on Wednesday 18 October 2017 with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Mr Greg Barber and that Dr Samantha Ratnam was duly chosen to hold the vacant place.

3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Voluntary Assisted Dying Legislation — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying in Victoria and instead ensure that every Victorian has access to the best of care at the end of life, bearing 626 signatures (*Mr Watt*)

Glen Eira Road Pedestrian Crossing — Requesting that the Legislative Assembly calls on the Government to fund the installation of 40 km/h lights and pedestrian-activated pole mounted lights at the pedestrian crossing on Glen Eira Road near Hood Crescent in Caulfield, bearing 978 signatures (*Mr Southwick*)

Peninsula Parklands Residential Park — Requesting that the Legislative Assembly considers — (a) regulating exit fees for residents of Peninsula Parklands Residential Park; (b) capping annual rent

increases at current CPI rates; (c) regulating power service rates; and (d) introducing a separate law to cover residential parks, bearing 101 signatures (*Mr Burgess*)

Voluntary Assisted Dying Legislation — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying until there has been a state or national plebiscite, bearing 3,048 signatures (*Mr Gidley*).

Petitions ordered to be tabled.

4 **PETITION — GLEN EIRA ROAD PEDESTRIAN CROSSING** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

5 **PETITION — PENINSULA PARKLANDS RESIDENTIAL PARK** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

6 **PETITION — VOLUNTARY ASSISTED DYING LEGISLATION** — Motion made and question — That the petition presented by the Member for Mount Waverley be taken into consideration tomorrow (*Mr Gidley*) — put and agreed to.

7 DOCUMENTS

CONSUMER UTILITIES ADVOCACY CENTRE — Report 2016–17 tabled by leave (*Ms Kairouz*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Adult Parole Board of Victoria — Report 2016–17

Albury Wodonga Health — Report 2016–17

Alexandra District Health — Report 2016–17

Alfred Health — Report 2016–17

Alpine Health — Report 2016–17

Ambulance Victoria — Report 2016–17

Austin Health — Report 2016–17

Bairnsdale Regional Health Service — Report 2016–17

Ballarat Health Services — Report 2016–17

Barwon Health — Report 2016–17

Bass Coast Health — Report 2016–17

Beaufort and Skipton Health Service — Report 2016–17

Beechworth Health Service — Report 2016–17

Benalla Health — Report 2016–17

Bendigo Health Care Group — Report 2016–17

Boort District Health — Report 2016–17

Calvary Health Care Bethlehem Ltd — Report 2016–17

Casterton Memorial Hospital — Report 2016–17

Castlemaine Health — Report 2016–17

CenITex — Report 2016–17

Central Gippsland Health Service — Report 2016–17

Cobram District Health — Report 2016–17

Cohuna District Hospital — Report 2016–17

Colac Area Health — Report 2016–17

Commission for Children and Young People — Report 2016–17

Commissioner for Privacy and Data Protection — Report 2016–17 — Ordered to be published

Community Visitors — Report 2016–17 under s 35 of the *Disability Act 2006*, s 224 of the *Mental Health Act 2014* and s 195 of the *Supported Residential Services (Private Proprietors) Act 2010* — Ordered to be published

Confiscation Act 1997 — Asset Confiscation Operations — Report 2016–17

Consumer Affairs Victoria — Report 2016–17 — Ordered to be published

Country Fire Authority — Report 2016–17

Dental Health Services Victoria — Report 2016–17

Djerriwarrh Health Services — Report 2016–17

Eastern Health — Report 2016–17

East Grampians Health Service — Report 2016–17

East Wimmera Health Service — Report 2016–17

Echuca Regional Health — Report 2016–17

Edenhope and District Memorial Hospital — Report 2016–17

Emergency Services Telecommunications Authority — Report 2016–17

Environment Protection Act 1970 — Order under s 18D

Essential Services Commission — Report 2016–17

Financial Management Act 1994:

Reports from the Minister for Health that she had received the reports 2016–17 of:

Ballarat General Cemeteries Trust

Bendigo Cemeteries Trust

Mildura Cemetery Trust

Victorian Pharmacy Authority

Report from the Minister for Women that she had received the Report 2016–17 of the Queen Victoria

Women's Centre Trust

Forensic Leave Panel — Report 2016–17

Geelong Cemeteries Trust — Report 2016–17

Gippsland Southern Health Service — Report 2016–17

Goulburn Valley Health — Report 2016–17

Greater Metropolitan Cemeteries Trust — Report 2016–17

Greyhound Racing Victoria — Report 2016–17

Health and Human Services, Department of — Report 2016–17

Health Complaints Commissioner — Report 2016–17

Health Purchasing Victoria — Report 2016–17

Heathcote Health — Report 2016–17

Hepburn Health Service — Report 2016–17

Hesse Rural Health Service — Report 2016–17

Heywood Rural Health Service — Report 2016–17

Inglewood and Districts Health Service — Report 2016–17

Justice and Regulation, Department of — Report 2016–17

Kerang District Health — Report 2016–17

Kilmore and District Health — Report 2016–17

Kooweerup Regional Health Service — Report 2016–17

Kyabram District Health Service — Report 2016–17

Kyneton District Health Service — Report 2016–17

Latrobe Regional Hospital — Report 2016–17

Legal Practitioners' Liability Committee — Report 2016–17

Lorne Community Hospital — Report 2016–17

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- Maldon Hospital — Report 2016–17
- Mallee Track Health and Community Service — Report 2016–17
- Mansfield District Hospital — Report 2016–17
- Maryborough District Health Service — Report 2016–17
- Melbourne Health — Report 2016–17
- Members of Parliament (Register of Interests) Act 1978* — Cumulative Summary of Returns as at 30 September 2017 — Ordered to be published
- Mercy Hospitals Victoria Ltd — Report 2016–17
- Metropolitan Fire and Emergency Services Board — Report 2016–17
- Metropolitan Waste and Resource Recovery Group — Report 2016–17
- Monash Health — Report 2016–17
- Moyne Health Services — Report 2016–17
- Nathalia District Hospital — Report 2016–17
- Northeast Health Wangaratta — Report 2016–17
- Northern Health — Report 2016–17
- Numurkah District Health Service — Report 2016–17
- Omeo District Health — Report 2016–17
- Orbost Regional Health — Report 2016–17
- Otway Health — Report 2016–17
- Parks Victoria — Report 2016–17
- Peninsula Health — Report 2016–17
- Peter MacCallum Cancer Centre — Report 2016–7
- Police Registration and Services Board — Report 2016–17
- Portland District Health — Report 2016–17
- Queen Elizabeth Centre — Report 2016–17
- Racing Integrity Commissioner, Office of — Report 2016–17
- Radiation Advisory Committee — Report 2016–17
- Residential Tenancies Bond Authority — Report 2016–17
- Robinvale District Health Service — Report 2016–17

Rochester and Elmore District Health Service — Report 2016–17

Royal Children's Hospital — Report 2016–17

Royal Victorian Eye and Ear Hospital — Report 2016–17

Royal Women's Hospital — Report 2016–17

Rural Northwest Health — Report 2016–17

Seymour Health — Report 2016–17

South Gippsland Hospital — Report 2016–17

South West Healthcare — Report 2016–17

Southern Metropolitan Cemeteries Trust — Report 2016–17

Stawell Regional Health — Report 2016–17

St Vincent's Hospital (Melbourne) Ltd — Report 2016–17

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 95

Swan Hill District Health — Report 2016–17

Tallangatta Health Service — Report 2016–17

Terang and Mortlake Health Service — Report 2016–17

Timboon and District Healthcare Services — Report 2016–17

Treasury and Finance, Department of — Report 2016–17

Tweddle Child and Family Health Service — Report 2016–17

Upper Murray Health and Community Services — Report 2016–17

VicForests — Report 2016–17

Victoria Police — Report 2016–17

Victoria State Emergency Service Authority — Report 2016–17

Victorian Assisted Reproductive Treatment Authority — Report 2016–17

Victorian Commission for Gambling and Liquor Regulation — Report 2016–17

Victorian Electoral Commission — Report 2016–17

Victorian Health Promotion Foundation — Report 2016–17

Victorian Industry Participation Policy — Report 2016–17

Victorian Institute of Forensic Mental Health — Report 2016–17

Victorian Plantations Corporation — Report 2016–17

Victorian Responsible Gambling Foundation — Report 2016–17

West Gippsland Healthcare Group — Report 2016–17

West Wimmera Health Service — Report 2016–17

Western District Health Service — Report 2016–17

Western Health — Report 2016–17

Wimmera Health Care Group — Report 2016–17

Yarram and District Health Service — Report 2016–17

Yarrawonga Health — Report 2016–17

Yea and District Memorial Hospital — Report 2016–17

Youth Parole Board — Report 2016–17.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT (FURTHER REFORMS) BILL 2017** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 2 November 2017.

10 **VOLUNTARY ASSISTED DYING BILL 2017** — Order read for the consideration of the Bill in detail.

Bill considered in detail (*see pp 687–702*).

Business having been interrupted at 11.00 am under sessional orders.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

13 **VOLUNTARY ASSISTED DYING BILL 2017** — Bill further considered in detail (*see pp 687–702*).

Business having been interrupted at 10.00 pm under standing orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Bill further considered in detail (*see pp 687–702*).

And the House having continued to sit after midnight —

FRIDAY 20 OCTOBER 2017

Bill further considered in detail (*see pp 687–702*).

Motion made and question — That the debate be now adjourned (*Mr Walsh*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 37

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

Bill further considered in detail and agreed to without amendment (*see pp 687–702*).

Question — That this Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Staley; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Carbines; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 31 October 2017 (*Ms Allan*) — put and agreed to.
- 15 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.
- 16 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 11.38 am.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 144, 145 and 146

No 146 — Thursday 19 October 2017

VOLUNTARY ASSISTED DYING BILL 2017

Clause 1 — debate commenced.

Business having been interrupted at 11.00 am under sessional orders.

Clauses 1 and 2 agreed to.

Clause 3, by leave, consideration of clause 3 was postponed until after consideration of new clauses.

By leave, Ms Blandthorn's new clauses A, B and C, Mr Clark's new clauses AA, BB, CC and DD, Ms Kairouz's new clause A and Mr Smith's (Warrantdyte) new clause A were considered before clause 3.

New clause AA (Mr Clark), Mr Clark moved new clause AA (*see Schedule*).

Question — That new clause AA be agreed to and added to the Bill — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodggett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrantdyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 41

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

The Deputy Speaker advised that as Mr Clark's new clause AA had been defeated, amendment Nos 24 and 25 cannot be moved as they are consequential.

New clause BB (Mr Clark), the Deputy Speaker advised that if Mr Clark's new clause BB is not agreed to, amendment No 22 cannot be moved as it is consequential.

Mr Clark moved new clause BB (*see Schedule*).

New clause BB put and defeated.

New clause CC (Mr Clark), *the Deputy Speaker advised that if Mr Clark's new clause CC is not agreed to, amendment Nos 28 to 31, 35, 41 to 53 and 55 to 60 cannot be moved as they are consequential.*

Mr Clark moved new clause CC (*see Schedule*).

Question — That new clause CC be agreed to and added to the Bill — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 45

Ms Allan; Mr Andrews; Ms Asher; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

New clause A (Ms Kairouz), *the Deputy Speaker advised that if Ms Kairouz's new clause A is not agreed to, amendment Nos 1, 2, 14, 15 and 20 to 34 cannot be moved as they are consequential.*

Ms Kairouz moved new clause A (*see Schedule*).

Question — That new clause A be agreed to and added to the Bill — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 38

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 44

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

New clause A (Ms Blandthorn), *the Deputy Speaker advised that if Ms Blandthorn's new clause A is not agreed to, amendment Nos 10 to 15 and 17 to 19 cannot be moved as they are consequential and amendment Nos 1, 8, 9 and 16 may only be moved in an amended form.*

Ms Blandthorn moved new clause A (*see Schedule*).

Question — That new clause A be agreed to and added to the Bill — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 38

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

New clause DD (Mr Clark), the Deputy Speaker advised that if Mr Clark's new clause DD is not agreed to, amendment Nos 3, 4 and 5 cannot be moved as they are consequential.

Mr Clark moved new clause DD (*see Schedule*).

New clause DD put and defeated.

New clause B (Ms Blandthorn), the Deputy Speaker advised that if Ms Blandthorn's new clause B is not agreed to, amendment Nos 1, 8, 9 and 16 cannot be moved as they are consequential.

Ms Blandthorn moved new clause B (*see Schedule*).

Question — That new clause B be agreed to and added to the Bill — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 39

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

New clause A (Mr Smith, Warrandyte), the Deputy Speaker advised that if Mr Smith's (*Warrandyte*) new clause A is not agreed to, amendment Nos 5, 103, 104, 108, and 109 cannot be moved as they are consequential.

Mr Smith (*Warrandyte*) moved new clause A (*see Schedule*).

Business having been interrupted at 10.00 pm under standing orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Question — That new clause A be agreed to and added to the Bill — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

New clause C (Ms Blandthorn), *the Acting Speaker advised that if Ms Blandthorn's new clause C is not agreed to, amendment No 22 cannot be moved as it is consequential.*

Ms Blandthorn moved new clause C (*see Schedule*).

And the House having continued to sit after midnight —

FRIDAY 20 OCTOBER 2017

Question — That new clause C be agreed to and added to the Bill — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 46

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Ryan; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

Clause 3, *the Deputy Speaker advised that if Mr Smith's (Warrandyte) amendment No 1 is not agreed to amendment Nos 2, 3, 4, 6 to 102, 105, 106, 107 and 113 to 158 cannot be moved as they are consequential.*

Mr Smith (Warrandyte) moved amendment No 1 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and agreed to.

The Deputy Speaker advised that if Mr Clark's amendment No 1 is not agreed to amendment Nos 2, 6, 15 and 74 cannot be moved as they are consequential.

Mr Clark moved amendment No 1 (*see Schedule*).

Question — That the amendment be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

Motion made and question — That the debate be now adjourned (*Mr Walsh*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 37

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

The Deputy Speaker advised that if Ms McLeish's amendment No 1 is not agreed to Ms McLeish's amendment Nos 3 to 9, 11, 12, 13 and 15 to 17 and Ms Kairouz's amendment Nos 7 to 13, 37, 38, and 40 to 42 cannot be moved as they are consequential.

Ms McLeish moved amendment No 1 (*see Schedule*).

Question — That the amendment be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Suleyman; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 44

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Teller: Ms Halfpenny; Ms Spence.

Question defeated.

Clause agreed to.

Clauses 4 to 6 agreed to.

Mr Clark announced further amendments and requested that they be circulated. Amendments circulated.

Heading to clause 7, *the Deputy Speaker advised that if Mr Clark's further amendment No 2 is not agreed to further amendment Nos 3 and 4 cannot be moved as they are consequential.*

Mr Clark moved further amendment No 2 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the heading — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 33

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Heading agreed to.

Clauses 7 and 8 agreed to.

Clause 9, Ms Kairouz advised that she did not wish to proceed with her remaining amendments.

The Deputy Speaker advised that if Ms McLeish's amendment No 2 is not agreed to amendment Nos 10 and 14 cannot be moved as they are consequential.

Ms McLeish moved amendment No 2 (*see Schedule*).

Question — That the expression proposed to be omitted stands part of the clause — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Clause agreed to.

Clause 10, the Acting Speaker advised that if Mr Clark's amendment No 7 is not agreed to amendment Nos 16 and 75 to 76 cannot be moved as they are consequential.

Mr Clark moved amendment No 7 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and agreed to.

Clause agreed to.

Clauses 11 and 12 agreed to.

Clause 13, Mr Clark moved amendment No 8 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and agreed to.

The Acting Speaker advised that if Mr Clark's further amendment No 5 is not agreed to further amendment No 6 cannot be moved as it is consequential.

Mr Clark moved further amendment No 5 (*see Schedule*).

Question — That the word proposed to be omitted stands part of the clause — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Clause agreed to.

Clause 14, the Deputy Speaker advised that if Mr Clark's amendment No 9 is not agreed to amendment Nos 10 and 72 cannot be moved as they are consequential.

Mr Clark moved amendment No 9 (*see Schedule*).

Question — That the word proposed to be omitted stands part of the clause — put and agreed to.

Clause agreed to.

Clauses 15 to 17 agreed to.

Clause 18, the Deputy Speaker advised that if Mr Clark's amendment No 11 is not agreed to amendment Nos 13, 14, 17, 19 and 20 cannot be moved as they are consequential.

Mr Clark moved amendment No 11 (*see Schedule*).

Amendment put and defeated.

The Deputy Speaker advised that if Mr Clark's amendment No 12 is not agreed to amendment No 18 cannot be moved as it is consequential.

Mr Clark moved amendment No 12 (*see Schedule*).

Amendment put and defeated.

Clause agreed to.

Clauses 19 to 33 agreed to.

Clause 34, *the Deputy Speaker advised that if Mr Clark's amendment No 21 is not agreed to amendment No 73 cannot be moved as it is consequential.*

Mr Clark moved amendment No 21 (*see Schedule*).

Amendment put and defeated.

The Deputy Speaker advised that if Mr Clark's further amendment No 7 is not agreed to further amendment No 26 cannot be moved as it is consequential.

Mr Clark moved further amendment No 7 (*see Schedule*).

Amendment put and defeated.

Clause agreed to.

Clauses 35 and 36 agreed to.

Clause 37, *the Deputy Speaker advised that if Mr O'Brien's (Malvern) amendment No 1 is not agreed to the remaining amendments cannot be moved as they are consequential.*

Mr O'Brien (Malvern) moved amendment No 1 (*see Schedule*).

Question — That the amendment be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 43

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

Clause agreed to.

Clauses 38 to 44 agreed to.

Clause 45, *the Deputy Speaker advised that if Mr Clark's amendment No 23 is not agreed to amendment Nos 33, 34 and 54 cannot be moved as they are consequential.*

Mr Clark moved amendment No 23 (*see Schedule*).

Amendment put and defeated.

Clause agreed to.

Clauses 46 to 48 agreed to.

Clause 49, Mr Clark moved amendment No 32 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and agreed to.

Clause agreed to.

Clauses 50 to 64 agreed to.

Clause 65, *the Deputy Speaker advised that if Mr Clark's amendment No 36 is not agreed to amendment Nos 37 to 40 cannot be moved as they are consequential.*

Mr Clark moved amendment No 36 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and agreed to.

Clause agreed to.

Clauses 66 to 78 agreed to.

Clause 79, Mr Clark moved amendment No 61 (*see Schedule*).

Amendment put and defeated.

Clause agreed to.

Clauses 80 to 111 agreed to.

Clause 112, Mr Clark moved amendment No 62 (*see Schedule*).

Amendment put and defeated.

Clause agreed to.

Heading to clause 113, *the Deputy Speaker advised that if Mr Clark's amendment No 63 is not agreed to amendment Nos 64 to 67 cannot be moved as they are consequential.*

Mr Clark moved amendment No 63 (*see Schedule*).

Question — That the word proposed to be omitted stands part of the heading — put and agreed to.

Heading agreed to.

Clauses 113 and 114 agreed to.

Clause 115, *the Deputy Speaker advised that if Mr Smith's (Warrandyte) amendment No 110 is not agreed to amendment Nos 111 and 112 cannot be moved as they are consequential.*

Mr Smith (Warrandyte) moved amendment No 110 (*see Schedule*).

Question — That the word proposed to be omitted stands part of the clause — put and agreed to.

Clause agreed to.

Clause 116 agreed to.

Clause 117, Mr Clark moved further amendment No 21 (*see Schedule*).

Question — That the amendment be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

NOES 45

Ms Allan; Mr Andrews; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

Question defeated.

Clause agreed to.

Clauses 118 to 141 agreed to.

Schedule 1 agreed to.

Bill agreed to without amendment.

SCHEDULE OF AMENDMENTS MOVED

VOLUNTARY ASSISTED DYING BILL 2017

Amendments moved by Ms Blandthorn

NEW CLAUSES

23. Insert the following New Clause to follow clause 90—

"A Offence to take detrimental action against a person who conscientiously objects

A person must not take detrimental action against another person because the person has exercised a right of conscientious objection under section 7, including but not limited to—

- (a) action causing injury, loss or damage; or
- (b) intimidation or harassment.

Penalty: 240 penalty units or 2 years imprisonment or both."

24. Insert the following New Clause to follow clause 109—

"B Annual statistical reports

(1) Subject to subsection (2) the Board must, no more than 3 months after the end of a financial year, make a statistical report of information given to the Board during or in relation to the reporting period including the information contained in—

- (a) a written declaration that specifies the reason for requesting access to voluntary assisted dying; and
- (b) Part F of a co-ordinating medical practitioner administration form; and
- (c) a final review form.

(2) A statistical report made under subsection (1) must not contain information regarding a person, who has during the relevant reporting period accessed or requested access to voluntary assisted dying unless that information has been de-identified."

25. Insert the following New Clause to follow clause 118—

'C Reportable death

After section 4(2)(i) of the **Coroners Act 2008** insert—

"(ia) the death of a person who has been administered or self-administered a voluntary assisted dying substance within the meaning of the **Voluntary Assisted Dying Act 2017**; or".

Amendments moved by Mr Clark

1. Clause 3, after line 21 insert—

"associated medical practitioner, in relation to another registered medical practitioner, means a registered medical practitioner who—

- (a) provides health services at or for the same health facility or entity as the other practitioner; or
- (b) provides health services in partnership with the other practitioner;"

7. Clause 10, lines 14 to 24, omit all words and expressions on these lines and insert—
- "() Either the co-ordinating medical practitioner or each consulting medical practitioner must—
- (a) have held a fellowship with a specialist medical college, in a relevant speciality within that college, for at least 5 years; and
- (b) have had relevant specialist training and have relevant expertise and experience in the disease, illness or medical condition expected to cause the death of the person being assessed."
8. Clause 13, page 18, line 26 to page 19, line 6 omit all words and expressions on these lines and insert—
- "(b) refuses the first request."
9. Clause 14, line 21 omit "record." and insert "record; and".
11. Clause 18, page 21, line 7, after "referred" insert ", including any diagnosis that the specialist registered medical practitioner has made as to whether the person's disease, illness or medical condition meets the requirements of section 9(1)(d)".
12. Clause 18, page 21, after line 7 insert—
- "() Subsection (2) does not apply to a co-ordinating medical practitioner who meets the requirements of section 10(3)."
21. Clause 34, after line 18 insert—
- "(iii) has been given the information required by this Act and understands that information; and".
23. Clause 45, page 39, line 3 after "pharmacy" insert "or in the case that an application to VCAT is withdrawn under section 71 or the permit is cancelled in accordance with section 52(c)".
32. Clause 49, page 43, lines 9 to 13, omit all words and expressions on these lines and insert—
- "() The Secretary must refuse to issue a voluntary assisted dying permit unless the Secretary is satisfied the request and assessment process has been completed as required by this Act."
36. Clause 65, line 6 omit "must be".
61. Clause 79, after line 17 insert—
- "() For the purposes of subsection (1)—
- assist or facilitate* does not include the administration of a substance for the purposes of causing death."
62. Clause 112, line 9 after "2004" insert "at a level of Grade 6 or equivalent, or a higher level".
63. Heading to clause 113, omit "may" and insert "must".

NEW CLAUSES

68. Insert the following New Clause to follow clause 70—
- "AA Lodging of dispensed voluntary assisted dying substance with coordinating medical practitioner**

If an application is made to VCAT under section 68(1), the person who is the subject of the decision to be reviewed or the person's contact person must, if a voluntary assisted dying substance has been supplied, give the voluntary assisted dying substance to the person's co-ordinating medical practitioner."

69. Insert the following New Clause to follow clause 72—

"BB Cancellation of practitioner administration permit, unfilled prescription, return of voluntary assisted dying substance on certain VCAT determination

On VCAT determining a proceeding for the review of a decision and making a determination under section 72(b), (d) or (f)—

- (a) any practitioner administration permit issued in respect of the person who was the subject of the decision is cancelled; and
- (b) any unfilled prescription under a self-administration permit in respect of the person is cancelled; and
- (c) any voluntary assisted dying substance in the possession of the person must be returned to a pharmacist at the dispensing pharmacy in accordance with an authorisation under section 45(b) or (d)."

70. Insert the following New Clause to follow clause 73—

"CC VCAT orders in relation to person being induced by dishonesty and undue influence of another person

On an application under section 68(2) or on its own motion in any hearing before it, VCAT may make an order that a person is being or is not being induced by the dishonesty or undue influence of another person—

- (a) to make a request for access to voluntary assisted dying; or
- (b) to self-administer a voluntary assisted dying substance dispensed in accordance with a self-administration permit."

71. Insert the following New Clause to follow clause 90—

"DD Offence to make available material about, or advertise, voluntary assisted dying

"A registered health practitioner, or the owner of, or a person responsible for the day-to-day operation of, a health facility must not—

- (a) have, on premises at which the practitioner provides health services or professional care services, or on the premises of the health facility, as the case requires, material relating to voluntary assisted dying that is visible to, or accessible by, a person who has not initiated a discussion about voluntary assisted dying; or
- (b) provide material relating to voluntary assisted dying to a person who has not initiated a discussion about voluntary assisted dying; or
- (c) advertise, in material published or otherwise made available to the general public, that the practitioner or the health facility is willing to assist a person to access voluntary assisted dying.

Penalty: 120 penalty units or 12 months imprisonment or both."

Further amendments moved by Mr Clark

2. Heading to clause 7, omit "registered health practitioners" and insert "rights".

5. Clause 13, page 19, line 6 omit "request" and insert "request; or".

7. Clause 34, page 30, after line 18 insert—

"(b) specify the reason that the person is requesting access to voluntary assisted dying; and".

21. Clause 117, page 85, line 13, after "death as" insert "voluntary assisted dying in the circumstances of".

Amendment moved by Ms Kairouz

NEW CLAUSE

35. Insert the following New Clause to follow clause 89—

"A Offence to take dispensed voluntary assisted dying substance out of Victoria

A person must not take out of Victoria a drug, poison or controlled substance that the person knows is a voluntary assisted dying substance.

Penalty: Level 8 imprisonment (12 months maximum) or 120 penalty units or both."

Amendments moved by Ms McLeish

1. Clause 3, page 6, after line 4, insert—

"*mental illness* has the same meaning as in the **Mental Health Act 2014**;"

2. Clause 9, line 22, omit "12" and insert "6".

Amendment moved by Mr O'Brien (Malvern)

1. Clause 37, after line 31 insert—

"() The co-ordinating medical practitioner must ensure that an audiovisual recording is made of the person making the final request, in accordance with the prescribed requirements."

Amendments moved by Mr Smith (Warrandyte)

1. Clause 3, page 2, line 19, omit "voluntary assisted dying substance" and insert "poison".

110. Heading to clause 115, omit "**Five**" and insert "**Three**".

NEW CLAUSE

159. Insert the following New Clause to follow clause 111 and the heading proposed by amendment number 5—

"A Board to keep Voluntary Assisted Dying Register

(1) The Board must keep a register of persons who have died after being administered or self-administering a voluntary assisted dying substance in accordance with this Act.

(2) The register is to be called the Voluntary Assisted Dying Register.

(3) The following particulars must be included on the Voluntary Assisted Dying Register against the name of the person to whom they apply—

-
- (a) the disease, illness or medical condition of the person that met the requirements of the eligibility criteria; and
 - (b) the age of the person at the date of the person's death.
- (4) The Voluntary Assisted Dying Register is to be kept in the form and manner determined by the Board.
- (5) A function of the Board under subsection (4) may be performed by the Chairperson of the Board or the Deputy Chairperson of the Board.
- (6) The register may be inspected at the office of the Board by an independent auditor, for the purpose of verifying any information kept in the Voluntary Assisted Dying Register that is contained in a report under section 106 or 109.
- (7) In this section—
- independent auditor* means a person who is appointed by the Secretary to conduct an audit under subsection (6)."

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 147, 148 and 149

No 147 — Tuesday 31 October 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to make miscellaneous amendments to the **Water Act 1989** and the **Catchment and Land Protection Act 1994** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **SERVICE VICTORIA BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to provide for the delivery of Government services to the public by Service Victoria and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — Ms Allan obtained leave to bring in a Bill '*for an Act to amend the **Congestion Levy Act 2005**, the **Duties Act 2000**, the **Fire Services Property Levy Act 2012**, the **Land Tax Act 2005**, the **Payroll Tax Act 2007**, the **Taxation Administration Act 1997**, the **Unclaimed Money Act 2008**, the **Valuation of Land Act 1960**, the **Victorian Civil and Administrative Tribunal Act 1998** and certain other Acts as a consequence of the amendments made to the **Valuation of Land Act 1960** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the **Drugs, Poisons and Controlled Substances Act 1981** to provide for the licensing, for a trial period and at a single specified site, of the operation of a single medically supervised injecting centre for certain kinds of drugs of dependence and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **DOCUMENTS**
VISIT VICTORIA — Report 2016–17 tabled by leave (*Mr Foley*).
PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the 2017–18 Budget Estimates, together with appendices, extract from the proceedings and transcripts of evidence.

Ordered to be tabled and the report, appendices and extract from the proceedings published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 15 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017
 Compensation Legislation Amendment Bill 2017
 Fines Reform Amendment Bill 2017
 Firearms Amendment Bill 2017
 Firearms Amendment (Advertising) Bill 2017
 Gambling Legislation Amendment Bill 2017
 Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017
 Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2017
 Victorian Data Sharing Bill 2017
 Voluntary Assisted Dying Bill 2017
 SR No 41 — Road Safety Road Rules 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Federation Training — Report 2016

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2016–17 of the:

Alpine Resorts Co-ordinating Council
 Commissioner for Environmental Sustainability
 Gippsland Waste and Resource Recovery Group
 Goulburn Valley Waste and Resource Recovery Group
 North East Waste and Resource Recovery Group

Geoffrey Gardiner Dairy Foundation Ltd — Report 2016–17

Infrastructure Victoria — Report 2016–17

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Ombudsman — Investigation into the management of maintenance claims against public housing tenants — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Baw Baw — C117
 Boroondara — C253
 Cardinia — C211
 Frankston — C100
 Greater Geelong — C352, C371
 Hume — C176
 Knox — C156
 Latrobe — C97
 Loddon — C39
 Melbourne — C190 Part 1, C295

Mitchell — C119
 Moira — C79
 Mount Alexander — C78
 Moyne — C63
 Port Phillip — C137, C155
 Wangaratta — C73
 Whittlesea — C69, C206
 Yarra — C235
 Yarra Ranges — C158 Part 1

Recreational Fishing Licence Trust Account — Report 2016–17 on the disbursement of revenue

Statutory Rules under the following Acts:

Metropolitan Fire Brigades Act 1958 — SR 104
Transport (Compliance and Miscellaneous) Act 1983 — SR 105

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 104, 105
 Documents under s 16B in relation to the *Transport (Compliance and Miscellaneous) Act 1983* — Determination of Fees

Victorian Inspectorate — Report 2016–17.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Commercial Passenger Vehicle Industry Act 2017 — Division 2 of Part 3 — 2 November 2017 (*Gazette S351, 17 October 2017*)
Owner Drivers and Forestry Contractors Amendment Act 2017 — Whole Act — 1 November 2017 (*Gazette S359, 24 October 2017*)
WorkSafe Legislation Amendment Act 2017 — Remaining provisions — 26 October 2017 (*Gazette S359, 24 October 2017*).

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Drugs, Poisons, and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017
 Parks and Crown Land Legislation Amendment Bill 2017.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Ports and Marine Legislation Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Renewable Energy (Jobs and Investment) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 24 October 2017, given the royal assent to the following bills, presented to her by the Acting Clerk of the Legislative Assembly for and in the absence of the Acting Clerk of the Parliaments:

Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017
 Environment Protection Bill 2017
 Health Legislation Amendment (Quality and Safety) Bill 2017
 Parks and Crown Land Legislation Amendment Bill 2017.

- 15 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017
 Gambling Legislation Amendment Bill 2017
 Victorian Data Sharing Bill 2017.

- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 2 November 2017:

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017
 Compensation Legislation Amendment Bill 2017
 Fines Reform Amendment Bill 2017
 Firearms Amendment Bill 2017
 Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017
 Victorian Data Sharing Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 17 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 18 **SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AMENDMENT (GOVERNANCE) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **PORTS AND MARINE LEGISLATION AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 20 **JUSTICE LEGISLATION AMENDMENT (BODY-WORN CAMERAS AND OTHER MATTERS) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 21 **RENEWABLE ENERGY (JOBS AND INVESTMENT) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 22 **GAMBLING REGULATION AMENDMENT (GAMING MACHINE ARRANGEMENTS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **FINES REFORM AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.19 pm.

No 148 — Wednesday 1 November 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY WORKERS AND OTHERS) BILL 2017** — Ms Neville obtained leave to bring in a Bill '*for an Act to amend the Crimes Act 1958 to create offences relating to the creation of risk to emergency workers and others by driving and to make related amendments to the Sentencing Act 1991, the Bail Act 1977 and the Road Safety Act 1986, and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **TRANSPORT LEGISLATION AMENDMENT (ROAD SAFETY, RAIL AND OTHER MATTERS) BILL 2017** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the Road Safety Act 1986, the Road Legislation Further Amendment Act 2016, the Rail Management Act 1996, the Rail Safety (Local Operations) Act 2006, the Rail Safety National Law Application Act 2013, the Tourist and Heritage Railways Act 2010, the Transport (Safety Schemes Compliance and Enforcement) Act 2014, the Transport Accident Act 1986, the Marine (Drug, Alcohol and Pollution Control) Act 1988 and the Port Management Act 1995 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
 - Boronia Heights Secondary College Former Site** — Requesting that the Legislative Assembly calls on the Government not to develop the site of the former Boronia Heights Secondary College, and instead return it to the people in the form of public open space, bearing 16 signatures (*Ms Victoria*)
 - Pedestrian Crossing on Forest Road, The Basin** — Requesting that the Legislative Assembly calls on the Government to provide funding to install a pedestrian crossing on Forest Road near Wright Street in The Basin, bearing 225 signatures (*Ms Victoria*)
 - Voluntary Assisted Dying Legislation** — Requesting that the Legislative Assembly calls on the Government not to proceed with the introduction of legislation to allow euthanasia or voluntary assisted dying in Victoria and instead ensure that every Victorian has access to the best of care at the end of life, bearing 19 signatures (*Mr Clark*)
 - Mornington Peninsula Development** — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 918 signatures (*Mr Dixon*)
 - Mornington Peninsula Public Transport Review** — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 150 signatures (*Mr Dixon*).

Petitions ordered to be tabled.
- 5 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

7 **PETITION — BORONIA HEIGHTS SECONDARY COLLEGE FORMER SITE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

8 **PETITION — PEDESTRIAN CROSSING ON FOREST ROAD, THE BASIN** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

9 **DOCUMENTS**

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

Magistrates' Court of Victoria — Report 2015–16.

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Court Services Victoria — Report 2016–17

Crimes (Assumed Identities) Act 2004 — Reports 2016–17 under s 31 (two documents)

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had not received the reports 2016–17 of the:

Dhelkunya Dja Land Management Board, together with an explanation for the delay

Gunaikurnai Traditional Owner Land Management Board, together with an explanation for the delay

Yorta Traditional Owner Land Management Board, together with an explanation for the delay

Report from the Acting Minister for Veterans that he had not received the Report 2016–17 of the Shrine of Remembrance, together with an explanation for the delay

Harness Racing Victoria — Report 2016–17

Legal Profession Uniform Law Application Act 2014 — Practitioner Remuneration Order 2018 under s 96

Professional Standards Council of Victoria — Report 2016–17 (two documents)

Sentencing Advisory Council — Report 2016–17

Statutory Rules under the following Acts:

Heritage Act 2017 — SRs 108, 109

Professional Standards Act 2003 — SR 106

Veterans Act 2005 — SR 107

Victorian Civil and Administrative Tribunal Act 1998 — SR 110

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 107, 110

Surveillance Devices Act 1999 — Reports 2016–17 under s 30L (five documents)

Terrorism (Community Protection) Act 2003 — Report 2016–17 under s 13ZR

Victoria Legal Aid — Report 2016–17

Victorian Equal Opportunity and Human Rights Commission — Report 2016–17 — Ordered to be published

Victorian Institute of Forensic Medicine — Report 2016–17

Victorian Law Reform Commission — Report 2016–17 — Ordered to be published

Victorian Legal Services Board and Victorian Legal Services Commissioner — Report 2016–17 — Ordered to be published.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Legislation Further Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 11 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 12 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Caulfield Racecourse Reserve Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 14 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 15 November 2017.

- 15 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 15 November 2017.

- 16 **SERVICE VICTORIA BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 15 November 2017.

- 17 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 15 November 2017.

- 18 **FIREARMS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 19 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 20 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 21 **FIREARMS AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 22 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GREAT FOREST NATIONAL PARK** — The House was informed that Ms Sandell had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

That this House calls on the Andrews Labor Government to immediately create the Great Forest National Park, and:

- (1) condemns the Andrews Government for its continued logging of Victoria's native forests, especially in the Central Highlands and East Gippsland;
- (2) notes that this logging is contributing to the destruction of the Mountain Ash Ecosystem, which has been listed as Critically Endangered by the International Union for Conservation of Nature (IUCN), and 79 threatened species that depend on this forest, including the Leadbeater's Possum and the Greater Glider;
- (3) notes that VicForests' logging is a loss-making operation that requires taxpayer subsidies to continue, as shown in the VicForests 2016–17 Annual Report;

- (4) notes that the creation of the Great Forest National Park will create at least 760 jobs, tourism opportunities, protect biodiversity and support the viticultural and horticultural industries in the Yarra Ranges.'

Ms Sandell addressed the House — Discussion followed.

- 23 **FIREARMS AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 24 **FIREARMS AMENDMENT (ADVERTISING) BILL 2017** — The Deputy Speaker announced the receipt of a message from the Legislative Council presenting, for the agreement of the Legislative Assembly, a Bill '*for an Act to amend the **Firearms Act 1996** to allow persons other than licensed firearms dealers to advertise that a firearm is for sale and for other purposes*'.

On the motion of Mr Clark, the Bill was read a first time and ordered to be read a second time tomorrow.

- 25 **COMPENSATION LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 26 **VICTORIAN DATA SHARING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 27 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 149 — Thursday 2 November 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Guy Turner Reserve — Requesting that the Legislative Assembly calls on the Government to allocate funds to upgrade the surface of Guy Turner Reserve, Bayswater, in time for the 2018 season, bearing 195 signatures (*Ms Victoria*).

Ordered to be tabled.

3 **PETITION — GUY TURNER RESERVE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Charter of Human Rights and Responsibilities Act 2006 — Report 2016 on the operation of the Act — Ordered to be published

Game Management Authority — Report 2016–17

Parliamentary Committees Act 2003:

Government response to the Electoral Matters Committee's Report on the Inquiry into electronic voting
Government response to the Law Reform, Road and Community Safety Committee's Report on the Inquiry into lowering the probationary driving age in Victoria to seventeen

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C229, C277

Colac Otway — C86

Greater Geelong — C332

Wellington — C92 Part 2

Yarriambiack — C21.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 14 November 2017 (*Ms Allan*) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Statements by members were made.

7 **CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY WORKERS AND OTHERS) BILL 2017** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 16 November 2017.

8 **TRANSPORT LEGISLATION AMENDMENT (ROAD SAFETY, RAIL AND OTHER MATTERS) BILL 2017** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 16 November 2017.

- 9 **VICTORIAN DATA SHARING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 12 **VICTORIAN DATA SHARING BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT (FURTHER REFORMS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Bill read a second time and considered in detail (*see p 716*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 31 October 2017 had expired.

Question — That Schedule 1 stand part of the Bill — put and agreed to.

Question — That the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **GAMBLING REGULATION AMENDMENT (GAMING MACHINE ARRANGEMENTS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 81

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 3

Mr Hibbins; Ms Sandell; Ms Sheed.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **FINES REFORM AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **COMPENSATION LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **FIREARMS AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **VICTORIAN DATA SHARING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.08 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.40 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 147, 148 and 149

No 149 — Thursday 2 November 2017

**COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT (FURTHER REFORMS)
BILL 2017**

Clauses 1 to 22 agreed to.

Schedule 1 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 31 October 2017 had expired (for remaining stages see p 714).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 150, 151, 152 and 153

No 150 — Tuesday 14 November 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE IAN ROBERT CATHIE** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Ian Robert Cathie, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Council for the Electoral Province of South Eastern from 1964 to 1970, Member of the Legislative Assembly for the Electoral District of Carrum from 1976 to 1988, Minister for Housing from 1982 to 1985, Minister for Economic Development from 1982 to 1983, Minister for Industry, Commerce and Technology from 1983 to 1985, Minister for Education from 1985 to 1987, Minister for the Arts from 1987 to 1988 and Minister Assisting the Minister for Education with responsibility for Post-Secondary Education from 1987 to 1988 (*Mr Andrews*) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** — Motion made and question — That as a further mark of respect to the memory of the late Honourable Ian Robert Cathie, the House now adjourns until 2.00 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 12.48 pm, adjourned until 2.00 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 151 — Tuesday 14 November 2017
(2.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the **Road Safety Act 1986** to establish a regime for the trialling of automated vehicles on highways, to make a consequential amendment to the **Crimes Act 1958** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 5 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Reservoir East Primary School — Requesting that the Legislative Assembly calls on the Government to provide funds to replace and upgrade the school buildings at Reservoir East Primary School, bearing 308 signatures (*Mr Scott*).

Ordered to be tabled.

- 6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 16 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Legislation Amendment (Protection of Emergency Workers and Others) Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2017
 Service Victoria Bill 2017
 State Taxation Acts Further Amendment Bill 2017
 Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017
 Water and Catchment Legislation Amendment Bill 2017

together with appendices.

Ordered to be tabled and published.

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on A framework for monitoring the performance of the Independent Broad-based Anti-corruption Commission, together with an appendix.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Paine Reserve

Watery Gully Creek Reserve

Orders under s 17D granting leases over:

Esplanade Public Park

Waratah Bay Caravan Park

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — GC75

Banyule — C113, C122

Baw Baw — GC75

Cardinia — C209 Part 1, GC75

Casey — GC75

East Gippsland — GC75

Hobsons Bay — GC75

Hume — GC75

Latrobe — C100, GC75

Melbourne — C300
 Melton — GC75
 Mitchell — C113, GC28, GC61, GC75
 Stonnington — C227
 Surf Coast — GC75
 Wellington — C98
 Whittlesea — GC28, GC61, GC75
 Wyndham — GC75

Professional Standards Act 2003 — Instrument Amending the Australian Property Institute Valuers Limited Scheme under s 14 (*Gazette G45, 9 November 2017*)

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 108, 109

Victims of Crime Assistance Tribunal — Report 2016–17

Victorian Catchment Management Council — Catchment Condition and Management Report 2017.

The following proclamation fixing an operative date was tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Corrections Legislation Miscellaneous Amendment Act 2017 — ss 23, 39, 41, 43(3), 46 and 48 to 60 — 1 November 2017 (*Gazette S367, 31 October 2017*).

- 7 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 8 November 2017, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Justice Legislation Amendment (Body-worn Cameras and Other Matters) Bill 2017
 Ports and Marine Legislation Amendment Bill 2017
 Renewable Energy (Jobs and Investment) Bill 2017
 Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Bill 2017.

- 8 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 16 November 2017:

Crimes Legislation Amendment (Protection of Emergency Workers and Others) Bill 2017
 Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2017
 Planning and Environment Amendment (Public Land Contributions) Bill 2017
 Service Victoria Bill 2017
 State Taxation Acts Further Amendment Bill 2017
 Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

9 **STATEMENTS BY MEMBERS** — Statements by members were made.

10 **PLANNING AND ENVIRONMENT AMENDMENT (PUBLIC LAND CONTRIBUTIONS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Battin announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

11 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 and 3, be postponed until later this day.

12 **CAULFIELD RACECOURSE RESERVE BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

13 **PLANNING AND ENVIRONMENT AMENDMENT (PUBLIC LAND CONTRIBUTIONS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

14 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.20 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 152 — Wednesday 15 November 2017

1 The Speaker took the Chair and read the Prayer.

2 **HEALTH AND CHILD WELLBEING LEGISLATION AMENDMENT BILL 2017** — Ms Kairouz obtained leave to bring in a Bill *for an Act to amend the Child Wellbeing and Safety Act 2005, the*

Public Health and Wellbeing Act 2008, the Health Complaints Act 2016 and the Health Legislation Amendment (Quality and Safety) Act 2017 and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 1026 signatures (*Mr Dixon*)

Mornington Peninsula Public Transport Review — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 262 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 4 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 5 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Report on the Annual Financial Report of the State of Victoria, 2016–17 — Ordered to be published
Results of the 2016–17 Audits: Water Entities — Ordered to be published

Financial Management Act 1994 — 2017–18 Quarterly Financial Report No 1

Victims of Crime Commissioner, Office of — Report 2016–17.

- 7 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Crimes Legislation Amendment (Protection of Emergency Workers and Others) Bill 2017
Service Victoria Bill 2017
State Taxation Acts Further Amendment Bill 2017
Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017
Water and Catchment Legislation Amendment Bill 2017.

- 8 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

IBAC Committee's Report on A framework for monitoring the performance of the Independent Broad-based Anti-corruption Commission.

- 10 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 29 November 2017.

- 11 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 14 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — HOUSING AFFORDABILITY** — The House was informed that Mr Andrews had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes that only the Victorian Labor Government has a plan to make housing more affordable and to make renting fair.'

Mr Andrews addressed the House — Discussion followed.

- 16 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **SERVICE VICTORIA BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 153 — Thursday 16 November 2017

- 1 The Speaker took the Chair and read the Prayer.

- 2 **MAJOR EVENTS LEGISLATION AMENDMENT (TICKET SCALPING AND OTHER MATTERS) BILL 2017** — Mr Eren obtained leave to bring in a Bill '*for an Act to amend the Major Sporting Events Act 2009 in relation to ticket scalping, to repeal the Tourism Victoria Act 1992 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **DOCUMENTS**

PARTNERSHIPS VICTORIA PROJECT SUMMARY: CASEY HOSPITAL EXPANSION PROJECT — Report tabled by leave (*Ms Hennessy*).

DOCUMENT TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

County Court of Victoria — Report 2015–16.

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Coroners Court of Victoria — Report 2016–17

Coronial Council of Victoria — Report 2016–17

Planning and Environment Act 1987 — Notice of approval of an amendment to the Frankston Planning Scheme — C117

Public Prosecutions, Office of — Report 2016–17

Statutory Rule under the *Taxation Administration Act 1997* — SR 111

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 111

Victoria's Mental Health Services — Report 2016–17.

4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 28 November 2017 (*Ms Allan*) — put and agreed to.

5 **STATEMENTS BY MEMBERS** — Statements by members were made.

6 **HEALTH AND CHILD WELLBEING LEGISLATION AMENDMENT BILL 2017** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 30 November 2017.

7 **CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY WORKERS AND OTHERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY WORKERS AND OTHERS) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Andrews Labor Government has fully addressed the concerns of local councils, valuers and the community regarding the increased costs, loss of jobs and conflict of interest consequential upon centralising property valuation authority with the valuer-general and moving to a system of annual re-valuation, while noting the House's support for the extension of payroll tax exemptions' (*Mr O'Brien, Malvern*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **TRANSPORT LEGISLATION AMENDMENT (ROAD SAFETY, RAIL AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 14 November 2017 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (MEDICALLY SUPERVISED INJECTING CENTRE) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **SERVICE VICTORIA BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **PLANNING AND ENVIRONMENT AMENDMENT (PUBLIC LAND CONTRIBUTIONS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **CRIMES LEGISLATION AMENDMENT (PROTECTION OF EMERGENCY WORKERS AND OTHERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 79

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Blandthorn; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 2

Mr Hibbins; Ms Sandell.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the Andrews Labor Government has fully addressed the concerns of local councils, valuers and the community regarding the increased costs, loss of jobs and conflict of interest consequential upon centralising property valuation authority with the valuer-general and moving to a system of annual re-valuation, while noting the House's support for the extension of payroll tax exemptions'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — The Speaker announced he had received a report from the Acting Clerk that she has made the following correction in the Bill:

In clause 4 on line 11, she has deleted 'works' and inserted 'work'.

Business having been interrupted at 5.22 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.59 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

VOTES AND PROCEEDINGS
Nos 154, 155 and 156

No 154 — Tuesday 28 November 2017

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **RETURN TO WRIT** — The Speaker announced that he had received a return to the writ issued on 21 September 2017 which states that Lidia Thorpe has been elected for the Electoral District of Northcote.
- 3 **MEMBER SWORN** — Lidia Thorpe was then introduced and took and subscribed the affirmation required by law.
- 4 **APPOINTMENT OF OFFICER OF PARLIAMENT** — The Speaker informed the House that, under s 18 of the *Parliamentary Administration Act 2005*, the Acting Clerk of the Legislative Assembly has appointed Mr Robert McDonald to be Deputy Clerk, following the appointment of Ms Bridget Noonan as Acting Clerk.
- 5 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 6 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 7 **FINANCIAL MANAGEMENT AND CONSTITUTION ACTS AMENDMENT BILL 2017** — Mr Scott obtained leave to bring in a Bill '*for an Act to amend the **Constitution Act 1975** and the **Financial Management Act 1994** in order to provide that the Public Account, Consolidated Fund and Trust Fund are maintained under the **Constitution Act 1975**, to amend the **Financial Management Act 1994** to provide for the funding of departments and the application of appropriations from the Consolidated Fund, to make consequential amendments to certain other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **RESIDENTIAL TENANCIES AMENDMENT (HOUSING STANDARDS) BILL 2017** — Motion made and question — That Ms Sandell have leave to bring in a Bill '*for an Act to amend the **Residential Tenancies Act 1997** in relation to the imposition of certain minimum housing standards and for other purposes*' — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 42

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 9 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2017** — Ms Allan obtained leave to bring in a Bill *for an Act to amend the Catchment and Land Protection Act 1994, the Dairy Act 2000, the Drugs, Poisons and Controlled Substances Act 1981, the Fisheries Act 1995, the Game Management Authority Act 2014, the Livestock Disease Control Act 1994, the Meat Industry Act 1993, the Melbourne Market Authority Act 1977, the Plant Biosecurity Act 2010, the Veterinary Practice Act 1997, the Wildlife Act 1975, and to make miscellaneous and consequential amendments to the Confiscation Act 1997, the Conservation, Forests and Lands Act 1987, the Crown Land (Reserves) Act 1978, the Environment Protection Act 1970, the Firearms Act 1996, the Land Act 1958 and to repeal the Livestock Disease Control Amendment Act 2007, the Broiler Chicken Industry Act 1978 and the Broiler Chicken Industry (Amendment) Act 1991 and for other purposes*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

10 **DOCUMENTS**

VICTORIAN GOVERNMENT ABORIGINAL AFFAIRS — Report 2017 tabled by leave (*Mr Donnellan*).

PRIVILEGES COMMITTEE — Ms Neville, Chair, presented a report from the Privileges Committee on the right of reply from Professor Peter Coombes, a person referred to in the Legislative Assembly, together with appendices.

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 17 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Health and Child Wellbeing Legislation Amendment Bill 2017
Road Safety Amendment (Automated Vehicles) Bill 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Yellingbo Nature Conservation Reserve
Order under s 17D granting a lease over Flagstaff Gardens

Legal Services Council and Commissioner for Uniform Legal Services Regulation — Reports 2016–17

National Environment Protection Council — Report 2015–16

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2015–16 Financial and Performance Outcomes

Planning and Environment Act 1987 — Notice of approval of an amendment to the Victoria Planning Provisions — VC141

Statutory Rules under the following Acts:

County Court Act 1958 — SR 115

Family Violence Protection Act 2008 — SR 112

National Domestic Violence Order Scheme Act 2016 — SR 113

Supreme Court Act 1986 — SR 114

Retirement Villages Act 1986 — SR 116

Road Safety Act 1986 — SR 117

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 114, 115, 116, 117.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Family Violence Protection Amendment Act 2017 — Parts 3, 4 and 5 — 16 November 2017; Division 2 of Part 9 — 25 November 2017 (*Gazette S388, 15 November 2017*)

National Domestic Violence Order Scheme Act 2016 — Remaining provisions — 25 November 2017 (*Gazette S388, 15 November 2017*)

Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Act 2017 — Division 2 of Part 2 — 15 November 2017 (*Gazette S388, 15 November 2017*).

- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Voluntary Assisted Dying Bill 2017 with amendments.

Ordered, after debate — That the amendments be taken into consideration later this day.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had, on 22 November 2017, given the royal assent to the Caulfield Racecourse Reserve Bill 2017, presented to her by the Acting Clerk of the Parliaments.

- 13 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Road Safety Amendment (Automated Vehicles) Bill 2017.

- 14 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, by leave, and question — That so much of standing and sessional orders be suspended on Wednesday 29 November 2017 to allow the Member for Northcote to make her inaugural speech for a maximum of 15 minutes immediately after the grievance debate (*Ms Allan*) — put and agreed to.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 30 November 2017:

Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016

Health and Child Wellbeing Legislation Amendment Bill 2017

Road Safety Amendment (Automated Vehicles) Bill 2017

Water and Catchment Legislation Amendment Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

16 **STATEMENTS BY MEMBERS** — Statements by members were made.

17 **MAJOR EVENTS LEGISLATION AMENDMENT (TICKET SCALPING AND OTHER MATTERS) BILL 2017** — *Mr Eren tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Eren*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 12 December 2017.

18 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until there is a regulatory impact statement completed on the Bill's proposed regime for salinity impact, and until the Government agrees to revert to the original timeframe with respect to reviewing northern Victoria's long term water assessment plan for 2018' (*Ms Ryan*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

19 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Fines Reform Amendment Bill 2017 without amendment.

20 **VOLUNTARY ASSISTED DYING BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Ms Hennessy*) — and, after debate —

Amendment proposed — That all the words after 'amendments' be omitted with the view of inserting in their place the words 'be deferred indefinitely' (*Mr Clark*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Deputy Speaker left the Chair at 7.23 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 155 — Wednesday 29 November 2017

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Residential Parks — Requesting that the Legislative Assembly calls on the Government to — (a) provide financial compensation to present residents of Wantirna Caravan Park; (b) provide future financial compensation and legal protection for residents of residential parks under the *Residential Tenancies Act 1997*; and (c) recognise the critical role of residential parks as affordable housing, bearing 1669 signatures (*Mr Wakeling*)

Safe Schools Program — Requesting that the Legislative Assembly calls on the Government to stop compelling all Victorian secondary schools to implement the Safe Schools program and allow parents to decide if their children will participate in the program, bearing 9 signatures (*Mr Angus*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 1109 signatures (*Mr Dixon*)

Mickleham Road — Requesting that the Legislative Assembly calls on the Government to begin planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 317 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 4 **PETITION — RESIDENTIAL PARKS** — Motion made and question — That the petition presented by the Member for Ferntree Gully be taken into consideration tomorrow (*Mr Wakeling*) — put and agreed to.
- 5 **PETITION — SAFE SCHOOLS PROGRAM** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.

6 DOCUMENTS

ACCOUNTABILITY AND OVERSIGHT COMMITTEE — Mr Angus, Chair, presented a report from the Accountability and Oversight Committee on the Inquiry into education, training and communications initiatives of Victorian oversight agencies, together with transcripts of evidence.

Ordered to be tabled and the report published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

ICT Disaster Recovery Planning — Ordered to be published

Results of 2016–17 Audits: Local Government — Ordered to be published

Results of 2016–17 Audits: Public Hospitals — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Ararat — GC49

Baw Baw — GC49

Buloke — GC49

East Gippsland — GC49

Frankston — GC49

Gannawarra — GC49

Greater Bendigo — GC49

Greater Geelong — GC49

Macedon Ranges — GC49

Melbourne — GC49

Monash — GC49

Moorabool — GC49

Northern Grampians — GC49

Port Phillip — GC49

Stonnington — GC49

Subordinate Legislation Act 1994 — Documents under s 16B in relation to *Kardinia Park Stadium Act 2016* — Event management declaration for Kardinia Park events.

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Victorian Data Sharing Bill 2017 without amendment.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into electronic voting

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects

Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder

Accountability and Oversight Committee's Report on the Inquiry into education, training and communications initiatives of Victorian oversight agencies.

- 10 **VOLUNTARY ASSISTED DYING BILL 2017** — Order read for resuming debate on question — That the amendments be agreed to — *and on the amendment* — That all the words after 'amendments' be omitted with the view of inserting in their place the words 'be deferred indefinitely'; debate resumed.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Asher; Ms Britnell; Mr Bull (*Sunbury*); Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Ms Sandell; Mr Scott; Ms Sheed; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne. Tellers: Ms Halfpenny; Ms Spence.

NOES 37

Mr Angus; Mr Battin; Mr Blackwood; Ms Blandthorn; Mr Bull (*Gippsland East*); Mr Burgess; Mr Carbines; Mr Clark; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Ms Kairouz; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Merlino; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells. Tellers: Mr Crisp; Mr Katos.

Question agreed to.

Business having been interrupted at 11.09 am under sessional orders.

- 11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 13 **VOLUNTARY ASSISTED DYING BILL 2017** — Resumption of consideration of the amendments made by the Legislative Council.

Original question — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 14 **FINANCIAL MANAGEMENT AND CONSTITUTION ACTS AMENDMENT BILL 2017** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 13 December 2017.

- 15 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2017** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Walsh*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 13 December 2017.

- 16 **DOMESTIC ANIMALS AMENDMENT (PUPPY FARMS AND PET SHOPS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time.

Ms Allan announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words '(a) this House refuses to read this Bill a second time until a thorough, transparent public consultation phase is conducted; and (b) this Bill be withdrawn and redrafted, following the consultation phase, into a form which — (i) is based on animal welfare assessments and outcomes and not arbitrary animal number limits; and (ii) improves regulation for sale of puppies and kittens without creating risk of pet black markets, or restricting an individual's ability to acquire an affordable family pet of choice' (*Mr Walsh*) — and, after debate —

Business having been interrupted at 2.00 pm under sessional orders.

- 17 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.
- 18 **INAUGURAL SPEECH** — In accordance with the resolution of the House on Tuesday 28 November 2017, the Member for Northcote made an inaugural speech.
- 19 **DOMESTIC ANIMALS AMENDMENT (PUPPY FARMS AND PET SHOPS) BILL 2016** — Debate resumed on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words '(a) this House refuses to read this Bill a second time until a thorough, transparent public consultation phase is conducted; and (b) this Bill be withdrawn and redrafted, following the consultation phase, into a form which — (i) is based on animal welfare assessments and outcomes and not arbitrary animal number limits; and (ii) improves regulation for sale of puppies and kittens without creating risk of pet black markets, or restricting an individual's ability to acquire an affordable family pet of choice'.
- Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 20 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.26 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 156 — Thursday 30 November 2017

- 1 The Speaker took the Chair and read the Prayer.

2 **DOCUMENTS**

VICTORIA LAW FOUNDATION — Report 2016–17 tabled by leave (*Mr Pakula*).

JUDICIAL COLLEGE OF VICTORIA — Report 2016–17 tabled by leave (*Mr Pakula*).

DOCUMENTS TABLED BY COMMAND OF THE GOVERNOR

Mr Pakula presented by Command of the Governor:

Supreme Court of Victoria:

Report 2015–16
Report 2016–17.

Reports ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Australian Health Practitioner Regulation Agency — Report 2016–17

Financial Management Act 1994 — Report from the Attorney-General that he had received the Report 2016–17 of the Judicial College of Victoria

Health Practitioner National Law (Victoria) Act 2009 — Report 2016–17 of the National Health Practitioner Ombudsman and Privacy Commissioner

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return November 2017 and Summary of Variations Notified between 22 September 2017 and 28 November 2017 — Ordered to be published

National Health Funding Pool — Report 2016–17

Ombudsman — Implementing OPCAT in Victoria: report and inspection of the Dame Phyllis Frost Centre — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 112, 113, 118, 119

Victorian Civil and Administrative Tribunal — Report 2016–17.

3 **MESSAGE FROM THE GOVERNOR** — Recommending a further appropriation for the purposes of the Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016.

4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 12 December 2017 (*Ms Allan*) — put and agreed to.

5 **STATEMENTS BY MEMBERS** — Statements by members were made.

6 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

7 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

8 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

9 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

10 **HEALTH AND CHILD WELLBEING LEGISLATION BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Walsh*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 39

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Debate resumed on question — That this Bill be now read a second time.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 28 November 2017 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 11 **WATER AND CATCHMENT LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until there is a regulatory impact statement completed on the Bill's proposed regime for salinity impact, and until the Government agrees to revert to the original timeframe with respect to reviewing northern Victoria's long term water assessment plan for 2018'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **DOMESTIC ANIMALS AMENDMENT (PUPPY FARMS AND PET SHOPS) BILL 2016** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words '(a) this House refuses to read this Bill a second time until a thorough, transparent public consultation phase is conducted; and (b) this Bill be withdrawn and redrafted, following the consultation phase, into a form which — (i) is based on animal welfare assessments and outcomes and not arbitrary animal number limits; and (ii) improves regulation for sale of puppies and kittens without creating risk of pet black markets, or restricting an individual's ability to acquire an affordable family pet of choice'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 156 inclusive be agreed to and the Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **ROAD SAFETY AMENDMENT (AUTOMATED VEHICLES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.16 pm under sessional orders.

- 14 **ADJOURNMENT** — The Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Acting Speaker left the Chair at 5.42 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 157, 158 and 159

No 157 — Tuesday 12 December 2017

- 1 The House met according to the adjournment.
- 2 **ABSENCE OF SPEAKER** — The Acting Clerk informed the House of the unavoidable absence of the Speaker from this week's sitting.
- 3 The Deputy Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 4 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 5 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 6 **AUDIT AMENDMENT BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to re-enact with amendments certain provisions of the **Audit Act 1994** and to extend and modernise the duties, powers and functions of the Auditor-General and the Victorian Auditor-General's Office, to clarify the rights and obligations of entities audited by the Auditor-General, to consequentially amend certain other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **JUSTICE LEGISLATION AMENDMENT (VICTIMS) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Children, Youth and Families Act 2005**, the **Crimes Act 1958**, the **Criminal Procedure Act 2009**, the **Family Violence Protection Act 2008**, the **Judicial Proceedings Reports Act 1958**, the **Jury Directions Act 2015**, the **Sentencing Act 1991**, the **Serious Sex Offenders (Detention and Supervision) Act 2009**, the **Summary Offences Act 1966**, the **Victims' Charter Act 2006** and the **Victims of Crime Assistance Act 1996** and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Mr Pakula obtained leave to bring in a Bill '*for an Act to make further amendments to the **Bail Act 1977** in relation to the grant or refusal of bail, to empower police officers to remand in custody certain persons who have been refused bail by a police officer, to amend the **Children, Youth and Families Act 2005**, to make amendments to certain Acts related to the **Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **MARINE AND COASTAL BILL 2017** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to provide for the integrated and co-ordinated planning and management of the marine and coastal environment of Victoria, to repeal and partially re-enact the **Coastal Management Act 1995** and to amend various other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — Mr Foley obtained leave to bring in a Bill '*for an Act to amend the **Child Wellbeing and Safety Act 2005** to provide for specified entities to share information to promote the wellbeing and safety of children, to create a register of children born or resident in Victoria to improve child wellbeing and safety outcomes for those children and to monitor and support their participation in government-funded*

programs and services, to make consequential amendments to other Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 11 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2017** — Ms Allan obtained leave to bring in a Bill *'for an Act to reform the current system relating to salaries, allowances and standards for Members of Parliament by establishing the Victorian Independent Remuneration Tribunal and making amendments to the **Parliamentary Salaries and Superannuation Act 1968** and the **Members of Parliament (Register of Interests) Act 1978**, and to make related amendments to the **Public Administration Act 2004** and consequential amendments to certain other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 12 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Safe Schools Program — Requesting that the Legislative Assembly calls on the Government to stop compelling all Victorian secondary schools to implement the Safe Schools program and allow parents to decide if their children will participate in the program, bearing 53 signatures (*Ms Ryan*)

Christmas Police Numbers in Lakes Entrance — Requesting that the Legislative Assembly ensures that the Government acts immediately to provide adequate numbers of police to Lakes Entrance over the Christmas 2017 holiday period, bearing 361 signatures (*Mr Bull, Gippsland East*)

Rail Services in Horsham — Requesting that the Legislative Assembly calls on the Government to ensure an appropriate level of investment is made to return passenger rail services to Horsham, bearing 580 signatures (*Ms Kealy*)

Small-scale Pastured Farms — Requesting that the Legislative Assembly treats small-scale pastured pig and poultry farms under the farming zone like other low risk grazing systems that rely on supplementary feed rather than treating them as industrial producers, bearing 753 signatures (*Ms Thomas*)

Crime in Rural Communities — Requesting that the Legislative Assembly calls on the Government to increase the police presence in rural communities, improve response times to 000 calls, ensure penalties for crimes are in line with community values and increase rehabilitation and support resources for drug users, bearing 117 signatures (*Mr Walsh*)

Cohuna District Hospital — Requesting that the Legislative Assembly ensures that the Government guarantees the continuation of full maternity care at the Cohuna District Hospital and that the Hospital remains a stand-alone health service, bearing 1338 signatures (*Mr Walsh*).

Petitions ordered to be tabled.

- 13 **PETITION — CHRISTMAS POLICE NUMBERS IN LAKES ENTRANCE** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 14 **PETITION — SMALL-SCALE PASTURED FARMS** — Motion made and question — That the petition presented by the Member for Macedon be taken into consideration tomorrow (*Ms Thomas*) — put and agreed to.
- 15 **PETITION — RAIL SERVICES IN HORSHAM** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

16 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 18 of 2017 from the Scrutiny of Acts and Regulations Committee on the:

Financial Management and Constitution Acts Amendment Bill 2017
 Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017
 Primary Industries Legislation Amendment Bill 2017
 Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017

together with appendices.

Ordered to be tabled and published.

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Mr Bull (Sunbury), Chair, presented an interim report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Criminal Organisations Control Act 2012 — Report 2016–17 under s 133

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Red Cliffs Court House

Financial Management Act 1994:

Reports from the Minister for Energy, Environment and Climate Change that she had received the reports 2016–17 of the:

Dhelkunya Dja Land Management Board

Gunaikurnai Traditional Owner Land Management Board

Independent Broad-based Anti-corruption Commission — Operation Lansdowne: An investigation into allegations of serious corruption involving Victorian vocational education and training, and public transport sectors — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the IBAC Committee's Report on Improving Victoria's whistleblowing regime: a review of the *Protected Disclosure Act 2012*

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C208

Glenelg — C75

Greater Bendigo — C233

Latrobe — C107

Melbourne — C316

Stonnington — C271, C273

Statutory Rules under the following Acts:

Charter of Human Rights and Responsibilities Act 2006 — SR 122

Fisheries Act 1995 — SR 118

Improving Cancer Outcomes Act 2014 — SR 121
Subordinate Legislation Act 1994 — SR 119
Supreme Court Act 1986 — SRs 124, 125, 126, 127
Transport Accident Act 1986 — SR 120
Water Act 1989 — SR 123

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 120, 121, 123, 124, 125, 126, 127

Terrorism (Community Protection) Act 2003 — Report 2016–17 under ss 13, 13ZR and 21M

Victorian Environmental Assessment Council Act 2001 — Government response to the Victorian Environmental Assessment Council's Statewide Assessment of Public Land Final Report.

17 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017 without amendment.

18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

19 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 5 December 2017
 Fines Reform Amendment Bill 2017
 Victorian Data Sharing Bill 2017
 Voluntary Assisted Dying Bill 2017

On 12 December 2017
 Gambling Regulation Amendment (Gaming Machine Arrangements) Bill 2017.

20 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Financial Management and Constitution Acts Amendment Bill 2017
 Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017
 Primary Industries Legislation Amendment Bill 2017.

21 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 14 December 2017:

Gambling Legislation Amendment Bill 2017
 Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017
 Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2017
 Primary Industries Legislation Amendment Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Deputy Speaker, Ms Edwards, in the Chair) —

AYES 42

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Mr Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

22 **STATEMENTS BY MEMBERS** — Statements by members were made.

23 **MAJOR EVENTS LEGISLATION AMENDMENT (TICKET SCALPING AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

24 **COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT (FURTHER REFORMS) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

25 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

26 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

MAREE EDWARDS MP
Deputy Speaker

No 158 — Wednesday 13 December 2017

- 1 The Deputy Speaker took the Chair and read the Prayer.
- 2 **LABOUR HIRE LICENSING BILL 2017** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to provide for the regulation and licensing of providers of labour hire services, to establish the Labour Hire Licensing Authority and the office of Labour Hire Licensing Commissioner, to amend the Public Administration Act 2004 and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the Planning and Environment Act 1987 to provide for the protection and conservation of distinctive areas and landscapes, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 389 signatures (*Mr Dixon*)

Mornington Peninsula Public Transport Review — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 92 signatures (*Mr Dixon*)

Cobram SES — Requesting that the Legislative Assembly considers providing funding for the State Emergency Service Cobram Unit to transfer their headquarters to the Victorian side of the Murray River and enhance the flood response in Victoria, bearing 1267 signatures (*Mr McCurdy*)

24-hour Ambulance Station for Creswick — Requesting that the Legislative Assembly calls on the Government to ensure a 24-hour ambulance station in Creswick, bearing 398 signatures (*Ms Staley*)

Remembrance Drive Speed Limit — Requesting that the Legislative Assembly calls on the Government not to permit the speed limit on Remembrance Drive to be lowered to 80 km/h, bearing 35 signatures (*Ms Staley*).

Petitions ordered to be tabled.

- 5 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 7 **PETITION — COBRAM SES** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 8 **PETITION — CRIME IN RURAL COMMUNITIES** — Motion made and question — That the petition presented by the Member for Murray Plains on 12 December 2017 be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.

- 9 **PETITION — COHUNA DISTRICT HOSPITAL** — Motion made and question — That the petition presented by the Member for Murray Plains on 12 December 2017 be taken into consideration tomorrow (*Mr Walsh*) — put and agreed to.
- 10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:
- Interpretation of Legislation Act 1984* — Notice under s 32(3)(a)(iii) in relation to Management and Storage of Combustible Recyclable and Waste Materials - Guideline (*Gazette G49, 7 December 2017*)
- Ombudsman — Investigation into the financial support provided to kinship carers — Ordered to be published.
- 11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Crimes Legislation Amendment (Protection of Emergency Workers and Others) Bill 2017 without amendment.
- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the State Taxation Acts Further Amendment Bill 2017 and suggesting amendments.
- Ordered — That the suggested amendments be taken into consideration later this day.
- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 14 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Electoral Matters Committee's Report on the Inquiry into electronic voting
- Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates
- Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates
- Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder.
- 15 **AUDIT AMENDMENT BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).
- The second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until Wednesday 27 December 2017.
- 16 **JUSTICE LEGISLATION AMENDMENT (VICTIMS) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).
- The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 27 December 2017.

- 17 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 27 December 2017.

- 18 **MARINE AND COASTAL BILL 2017** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 27 December 2017.

- 19 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 27 December 2017.

- 20 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2017** — *Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 27 December 2017.

- 21 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 22 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 23 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 24 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Debate continued on question — That this Bill be now read a second time.
- Business having been interrupted at 2.00 pm under sessional orders.*
- 25 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — INVESTIGATIONS SURROUNDING THE GOVERNMENT** — The House was informed that Mr Smith (Kew) had proposed that a definite matter of public importance be submitted to the House for discussion, namely —
- 'That this House expresses concern on behalf of all Victorians at the number of formal investigations surrounding the Andrews Government.'
- Mr Smith (Kew) addressed the House — Discussion followed.
- 26 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Debate resumed on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 27 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — Order read for the consideration of the amendments suggested by the Legislative Council.
- After debate, the suggested amendments were made.
- Bill returned to the Legislative Council with a message informing them accordingly.
- 28 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 8 and 9, be postponed until later this day.
- 29 **CORRECTIONS LEGISLATION FURTHER AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.
- After debate, the amendments were agreed to.
- Message sent to the Legislative Council informing them accordingly.
- 30 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 31 **ADJOURNMENT** — The Acting Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.18 pm.

No 159 — Thursday 14 December 2017

- 1 The Deputy Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Ansett Estate in Mt Eliza — Requesting that the Legislative Assembly calls on the Government to consider acquiring the Ansett Estate at 90 Kunyung Road, Mt Eliza in order to preserve this significant geographical and historical area for public use and to add the property to the Victorian Heritage Register, bearing 910 signatures (*Mr Morris*).

Ordered to be tabled.

- 3 **PETITION — ANSETT ESTATE IN MT ELIZA** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 4 **PETITION — 24-HOUR AMBULANCE STATION FOR CRESWICK** — Motion made and question — That the petition presented by the Member for Ripon on 13 December 2017 be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.
- 5 **PETITION — REMEMBRANCE DRIVE SPEED LIMIT** — Motion made and question — That the petition presented by the Member for Ripon on 13 December 2017 be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

6 DOCUMENTS

OFFICE OF THE PUBLIC ADVOCATE — Report 2016–17 tabled by leave (*Mr Pakula*).

Ordered to be published.

HAZELWOOD MINE FIRE INQUIRY — Report 2017 tabled by leave (*Mr Merlino*).

Ordered to be published.

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on The performance of the Independent Broad-based Anti-corruption Commission and the Victorian Inspectorate 2016–17, together with an appendix.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Managing the Level Crossing Removal Program — Ordered to be published

Children's Court of Victoria — Report 2015–16

Parliamentary Committees Act 2003:

Government response to the Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land

Government response to the Family and Community Development Committee's Report on the Inquiry into services for people with Autism Spectrum Disorder

Professional Standards Act 2003 — Instrument amending the New South Wales Bar Association Scheme under s 14 (*Gazette G49, 7 December 2017*).

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 6 February 2018 (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **COST AUDIT** — Motion made and question proposed — That this House notes:

- (1) the Liberal–Nationals Coalition have confirmed they will undertake a Cost Audit if they win the 2018 election;
- (2) the devastating cuts and job losses in the public service when the Liberal–Nationals were last in government; and
- (3) the grave risk to services and jobs following a Liberal–Nationals Cost Audit.

(*Mr Carroll*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

12 **COST AUDIT** — Debate continued on question — That this House notes:

- (1) the Liberal–Nationals Coalition have confirmed they will undertake a Cost Audit if they win the 2018 election;
- (2) the devastating cuts and job losses in the public service when the Liberal–Nationals were last in government; and
- (3) the grave risk to services and jobs following a Liberal–Nationals Cost Audit.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017 without amendment.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the State Taxation Acts Further Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration immediately.

15 **STATE TAXATION ACTS FURTHER AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 16 **LABOUR HIRE LICENSING BILL 2017** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 28 December 2017.

- 17 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 28 December 2017.

- 18 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put.

The House divided (the Deputy Speaker, Ms Edwards, in the Chair) —

AYES 38

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 42

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **MAJOR EVENTS LEGISLATION AMENDMENT (TICKET SCALPING AND OTHER MATTERS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 12 December 2017 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Deputy Speaker, Ms Edwards, in the Chair) —

AYES 76

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Ms Blandthorn; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 3

Mr Hibbins; Ms Sandell; Ms Thorpe.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **GAMBLING LEGISLATION AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.07 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Acting Speaker left the Chair at 5.33 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

MAREE EDWARDS MP
Deputy Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 160, 161, 162 and 163

No 160 — Tuesday 6 February 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF STUART RICHARD McDONALD** — The Speaker announced the death of Stuart Richard McDonald, Member of the Legislative Council for the Northern Electoral Province from 1967 to 1979; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **DEATH OF THE HONOURABLE ARTHUR ANDREW McCUTCHEON** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable Arthur Andrew McCutcheon, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of St Kilda from 1982 to 1992 and Minister for Water Resources and Minister for Property and Services from 1985 to 1987, Attorney-General from 1987 to 1990, Minister for Local Government from 1988 to 1989, Minister for Ethnic Affairs from 1989 to 1990, Minister for the Arts in 1990, Minister for Planning and Urban Growth from 1990 to 1991 and Minister for Planning and Housing from 1991 to 1992 (*Mr Andrews*) — put, after other members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 4 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Honourable Arthur Andrew McCutcheon, the House now adjourns until 2.00 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 12.52 pm, adjourned until 2.00 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 161 — Tuesday 6 February 2018 (2.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **APPOINTMENT OF OFFICER OF PARLIAMENT** — The Speaker informed the House that, under s 18 of the *Parliamentary Administration Act 2005*, the Acting Clerk of the Legislative Assembly has appointed Paul Groenewegen to be Assistant Clerk Committees following the appointment of Robert McDonald as Deputy Clerk.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 5 **INSPECTOR, VICTORIAN INSPECTORATE** — The Speaker advised that, on 20 December 2017, he administered to Eamonn Moran, the Inspector, Victorian Inspectorate, the oath required by s 26 of the *Victorian Inspectorate Act 2011*.
- 6 **IBAC COMMISSIONER** — The Speaker advised that, on 21 December 2017, he administered to Robert Redlich, the Commissioner, Independent Broad-based Anti-corruption Commission, the oath required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.
- 7 **ELECTRICITY SAFETY AMENDMENT (ELECTRICAL EQUIPMENT SAFETY SCHEME) BILL 2018** — Ms D'Ambrosio obtained leave to bring in a Bill 'for an Act to amend the *Electricity Safety Act 1998* and to make consequential amendments to the *Energy Safe Victoria Act 2005* and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — Mr Pakula obtained leave to bring in a Bill 'for an Act to amend the *Protected Disclosure Act 2012*, the *Independent Broad-based Anti-corruption Commission Act 2011*, the *Victorian Inspectorate Act 2011*, the *Public Interest Monitor Act 2011*, the *Ombudsman Act 1973* and the *Parliamentary Committees Act 2003* and make consequential amendments to other Acts to make Victoria's integrity and accountability system clearer and more efficient and to otherwise improve its operation and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 9 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Bushland Reserve in Rye — Requesting that the Legislative Assembly calls on the Government to — (a) protect the bushland reserve located at 50 Flinders Street Rye; (b) retain the land for public use; and (c) protect the bushland reserve from future housing subdivision, bearing 212 signatures (*Mr Dixon*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 1995 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 10 **PETITION — BUSHLAND RESERVE IN RYE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 11 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 12 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 1 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Audit Amendment Bill 2017
 Bail Amendment (Stage Two) Bill 2017
 Children Legislation Amendment (Information Sharing) Bill 2017
 Justice Legislation Amendment (Victims) Bill 2017
 Labour Hire Licensing Bill 2017
 Marine and Coastal Bill 2017

Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017
 Primary Industries Legislation Amendment Bill 2017
 Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2017

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Accident Compensation Conciliation Service — Report year ended 10 October 2017

Australian Children's Education and Care Quality Authority — Report 2016–17

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Yarra Bend Park

Education and Care Services National Law Act 2010:

Education and Care Services National Further Amendment Regulations 2017 under s 303
 Report 2016–17 of the Education and Care Services Ombudsman, National Education and Care Services
 Freedom of Information and Privacy Commissioners

Financial Management Act 1994 — Budget Update 2017–18

Independent Broad-based Anti-corruption Commission — Exposing and preventing corruption in Victoria — Special report: IBAC's first five years — Ordered to be published

Land Acquisition and Compensation Act 1986 — Certificates under s 7 (three documents)

Melbourne City Link Act 1995:

Deed of Lease (Western Link Upgrade) — WLU Company Lease
 Deed of Lease (Western Link Upgrade) — WLU Trust Concurrent Lease

Planning and Environment Act 1987:

Infrastructure and Development Contribution Levies — Report 2016–17
 Notices of approval of amendments to the following Planning Schemes:

Ararat — C37
 Banyule — C108, GC76
 Bass Coast — C147
 Boroondara — C243 Part 2, C262, C272, C273, C298, GC80
 Brimbank — C126 Part 2, C187
 Buloke — C33
 Campaspe — C104
 Cardinia — C223
 Casey — GC87
 Colac Otway — C94
 Darebin — GC34, GC80
 Frankston — GC76
 Glen Eira — C143, C154
 Glenelg — C94
 Golden Plains — C76
 Greater Bendigo — C220

Greater Dandenong — C182 Part 1, C194 Part 1, C204, GC87
 Greater Geelong — C327, C338, C351 Part 1, C356, C357, C358, C369, C374
 Horsham — C64
 Hume — C220
 Kingston — GC76
 Knox — C150, C170, GC76
 Latrobe — C85
 Loddon — GC84
 Macedon Ranges — C114
 Manningham — C113, GC76
 Mansfield — C40
 Maroondah — GC76
 Melbourne — C274, C314
 Melton — C146, C147, C189
 Moira — C77
 Monash — C120
 Moonee Valley — C180, C181, C185
 Moorabool — C76
 Moreland — C142, C159, C172, GC34, GC76
 Mornington Peninsula — C204
 Murrindindi — C57
 Nillumbik — C108, GC76
 Northern Grampians — GC84
 Port Phillip — C123, C150, C152, C153
 Pyrenees — C30
 Stonnington — C132, C260, C261, C269
 Victoria Planning Provisions — VC142
 Wangaratta — C68 Part 1
 Wellington — C96, C97
 Whitehorse — C192
 Whittlesea — C198, C208, GC76
 Wyndham — C202
 Yarra — C185, C209, C210, C239, GC80
 Yarra Ranges — C161, GC76

Professional Standards Act 2003:

CPA Australia Limited Professional Standards (Accountants) Scheme under s 14 (*Gazette G3, 18 January 2018*)
 Instrument amending The Law Society of South Australia Professional Standards Scheme under s 14 (*Gazette G52, 28 December 2017*)

Shrine of Remembrance — Report 2016–17, together with an explanation for the delay

Statutory Rules under the following Acts:

Bail Act 1977 — SR 131/2017
Building Act 1993 — SR 136/2017
Climate Change Act 2017 — SR 134/2017
Corrections Act 1986 — SR 133/2017
County Court Act 1958 — SRs 142, 143/2017
Family Violence Protection Act 2008 — SR 144/2017
Fines Reform Act 2014 — SR 129/2017
Infringements Act 2006 — SR 130/2017
Magistrates' Court Act 1989 — SRs 128, 144/2017
Marine (Drug, Alcohol and Pollution Control) Act 1988 — SR 137/2017

Marine Safety Act 2010 — SR 138/2017
Road Safety Act 1986 — SRs 139, 140, 141/2017
Subordinate Legislation Act 1994 — SR 135/2017
Victorian Civil and Administrative Tribunal Act 1998 — SR 132/2017

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 122, 128, 129, 130, 131, 132, 133, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144/2017

Documents under s 16B in relation to the:

Catchment and Land Protection Act 1994 — Declaration of Certain Animals to be Prohibited Pest Animals, Controlled Pest Animals, Regulated Pest Animals, or Established Pest Animals

City of Greater Geelong Act 1993 — Notice of Greater Geelong City Council Mayoral and Deputy Mayoral Allowances Alteration

City of Melbourne Act 2001 — Notice of Melbourne City Council Lord Mayoral, Deputy Lord Mayoral and Councillor Allowances Alteration

Education and Training Reform Act 2006 — Ministerial Order No 969 — Procedures for Suspension and Expulsion of Students in Government Schools

Environment Protection Act 1970 — Guidelines for modifications to water corporation sewage treatment plants exempt from works approvals

Road Safety Act 1986 — Order declaring offences against the laws of other States and Territories to be corresponding interstate drink-driving offences

Victorian Energy Efficiency Target Act 2007 — Notice of Declaration of Discount Factors.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Building Amendment (Enforcement and Other Measures) Act 2017 — Sections 4, 5, 13, 14, 16, 18(2) and (3), 25, 28 to 30, 39 to 41, 43 to 48, 52, 54, 59(2) and 85 — 31 January 2018 (*Gazette S443, 19 December 2017*)

Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017 — Parts 1 and 5, Division 1 of Part 6, s 40, Division 2 of Part 8, ss 60 and 61 and Parts 10 and 12 — 30 November 2017; Sections 59, 62 and 63 — 20 December 2017; Divisions 1 and 2 of Part 2, Division 1 of Part 4, s 22, Division 4 of Part 4 and ss 34, 35, 37 and 39 — 26 February 2018 (*Gazette S406, 28 November 2017*)

Environment Protection Act 2017 — Sections 1, 2, 4, 30, 31 and 32 — 1 January 2018 (*Gazette S433, 12 December 2017*)

Fines Reform Act 2014 — Whole Act — 31 December 2017 (*Gazette S443, 19 December 2017*)

Fines Reform Amendment Act 2017 — Part 2 and ss 113, 125 and 126 — 21 December 2017 (*Gazette S443, 19 December 2017*); Part 3 — 11 January 2018 (*Gazette S7, 10 January 2018*)

Gambling Regulation Amendment (Gaming Machine Arrangements) Act 2017 — Parts 2, 3, 4, 6, 7 and 10 and Divisions 1 and 2 of Part 8 (except s 90) — 20 December 2017 (*Gazette S443, 19 December 2017*)

Justice Legislation Amendment (Court Security, Juries and Other Matters) Act 2017 — Part 2 — 2 January 2018 (*Gazette S416, 5 December 2017*)

Parks and Crown Land Legislation Amendment Act 2017 — Whole Act — 15 December 2017 (*Gazette S433, 12 December 2017*)

Ports and Marine Legislation Amendment Act 2017 — Part 1, s 11 and Part 6 — 18 December 2017; Sections 4, 5, 10, 12 to 27, 30, 31, 33 and 39 to 42 and Part 4 — 31 December 2017; Sections 34 to 38 — 31 January 2018 (*Gazette S433, 12 December 2017*)

Renewable Energy (Jobs and Investment) Act 2017 — Whole Act — 15 December 2017 (*Gazette S433, 12 December 2017*)

Sentencing Amendment (Sentencing Standards) Act 2017 — Whole Act (except Parts 3 and 4 and s 42) — 29 November 2017 (*Gazette S406, 28 November 2017*); Remaining provisions — 1 February 2018 (*Gazette S28, 30 January 2018*)

Transport Legislation Amendment (Road Safety, Rail and Other Matters) Act 2017 — Section 76 and Part 4.2 — 1 January 2018; Parts 3.2 and 3.3 — 31 January 2018 (*Gazette S443, 19 December 2017*).

- 13 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016
Drugs, Poisons, and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2017.

- 14 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 19 December 2017

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Bill 2017
Corrections Legislation Further Amendment Bill 2017
Crimes Legislation Amendment (Protection of Emergency Workers and Others) Bill 2017
Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Bill 2017
State Taxation Acts Further Amendment Bill 2017
Transport Legislation Amendment (Road Safety, Rail and Other Matters) Bill 2017

On 20 December 2017

Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016.

- 15 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Audit Amendment Bill 2017
Children Legislation Amendment (Information Sharing) Bill 2017
Justice Legislation Amendment (Victims) Bill 2017
Labour Hire Licensing Bill 2017
Marine and Coastal Bill 2017
Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2017.

- 16 **ACCOUNTABILITY AND OVERSIGHT COMMITTEE** — The Speaker announced that he had received the resignation of Mr Staikos from the Accountability and Oversight Committee, effective from today.

- 17 **COMMITTEE MEMBERSHIP** — Motion made, by leave, and question — That Mr Noonan be appointed a member of the Accountability and Oversight Committee (*Ms Allan*) — put and agreed to.

- 18 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 8 February 2018:

Bail Amendment (Stage Two) Bill 2017
Justice Legislation Amendment (Victims) Bill 2017
Labour Hire Licensing Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 41

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

19 **STATEMENTS BY MEMBERS** — Statements by members were made.

20 **JUSTICE LEGISLATION AMENDMENT (VICTIMS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

21 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Pesutto announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 162 — Wednesday 7 February 2018

1 The Speaker took the Chair and read the Prayer.

2 **BLACK SATURDAY BUSHFIRES ANNIVERSARY** — The Speaker reminded the House that today marks the anniversary of the devastating 2009 bushfires, which affected communities across the State, and asked the House to take a moment to pause and think of those communities and the lives lost during those devastating fires. Members stood in silence to show their support.

- 3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Olympic Village Primary School — Requesting that the Legislative Assembly calls on the Government to fund the rebuilding of Olympic Village Primary School through the 2018 budget, bearing 255 signatures (*Mr Carbines*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 109 and 28 signatures (*Mr Morris and Mr Dixon respectively*)

Mornington Peninsula Public Transport Review — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 185 and 218 signatures (*Mr Morris and Mr Dixon respectively*)

Bushland Reserve in Rye — Requesting that the Legislative Assembly calls on the Government to — (a) protect the bushland reserve located at 50 Flinders Street Rye; (b) retain the land for public use; and (c) protect the bushland reserve from future housing subdivision, bearing 122 signatures (*Mr Dixon*)

Funding for Mornington Peninsula Freeway — Requesting that the Legislative Assembly urgently approves funding for the Jetty Road overpass in order to relieve the congestion on local roads at the current terminus of the Mornington Peninsula Freeway, in accordance with the VicRoads Point Nepean Road study, bearing 102 signatures (*Mr Dixon*)

Mornington Peninsula Freeway Noise Works — Requesting that the Legislative Assembly calls on the Government to install noise barriers to reduce the noise on the Mornington Peninsula Freeway between Safety Beach and Rosebud, bearing 11 signatures (*Mr Dixon*)

Australia Day Public Holiday — Requesting that the Legislative Assembly calls on the Government to change the Australia Day public holiday from 26 January to 1 January, bearing 2 signatures (*Ms Knight*).

Petitions ordered to be tabled.

- 4 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 5 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Mornington be taken into consideration tomorrow (*Mr Morris*) — put and agreed to.
- 6 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 7 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 8 **PETITION — BUSHLAND RESERVE IN RYE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 9 **PETITION — FUNDING FOR MORNINGTON PENINSULA FREEWAY** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 10 **PETITION — MORNINGTON PENINSULA FREEWAY NOISE WORKS** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 11 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Parliamentary Committees Act 2003:

Government response to the Accountability and Oversight Committee's Report on the Inquiry into education, training and communications initiatives of Victorian oversight agencies
 Government response to the IBAC Committee's Report on A framework for monitoring the performance of the Independent Broad-based Anti-corruption Commission

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SR 5
Corrections Act 1986 — SR 3
Domestic Animals Act 1994 — SR 1
Road Safety Act 1986 — SR 6
Serious Sex Offenders (Detention and Supervision) Act 2009 — SR 4
Wildlife Act 1975 — SR 2

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 1, 2, 3, 4.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Environment, Natural Resources and Regional Development Committee's Interim report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils

Electoral Matters Committee's report on the Inquiry into the conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's report on the 2016–17 Budget Estimates

Public Accounts and Estimates Committee's report on the 2017–18 Budget Estimates

IBAC Committee's report on A framework for monitoring the performance of the Independent Broad-based Anti-corruption Commission.

- 14 **ELECTRICITY SAFETY AMENDMENT (ELECTRICAL EQUIPMENT SAFETY SCHEME) BILL 2018** — *Ms D'Ambrosio* tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 February 2018.

- 15 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 February 2018.

- 16 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 17 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 18 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 19 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 20 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 21 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Firearms Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 23 **LABOUR HIRE LICENSING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 163 — Thursday 8 February 2018

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Mansfield Secondary College — Requesting that the Legislative Assembly calls on the Government to provide additional funding to complete modernisation works at Mansfield Secondary College, bearing 340 signatures (*Ms McLeish*).

Ordered to be tabled.

- 3 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return December 2017 and Summary of Variations Notified between 30 November 2017 and 6 February 2018 — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 6.

- 4 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 20 February 2018 (*Ms Allan*) — put and agreed to.

- 5 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 6 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.

- 7 **FIREARMS AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question proposed — That the amendments be agreed to (*Ms Neville*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 10 **FIREARMS AMENDMENT BILL 2017** — Debate continued on question — That the amendments be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 79

Ms Allan; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 3

Mr Hibbins; Ms Sandell; Ms Thorpe.

Question agreed to.

Message sent to the Legislative Council informing them accordingly.

- 11 **LABOUR HIRE LICENSING BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 February 2018 had expired.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 33

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 12 **JUSTICE LEGISLATION AMENDMENT (VICTIMS) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 13 **BAIL AMENDMENT (STAGE TWO) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 14 **JUSTICE LEGISLATION AMENDMENT (VICTIMS) BILL 2017** — The Speaker announced that he had received a report from the Acting Clerk that she has made the following correction in the Bill:

In Clause 23, subsection (1), she has deleted '(3)' and inserted '(3B)'.

Business having been interrupted at 5.07 pm under sessional orders.

- 15 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.37 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 164, 165 and 166

No 164 — Tuesday 20 February 2018

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **PARKS VICTORIA BILL 2018** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to repeal and re-enact with amendments the **Parks Victoria Act 1998** and to make consequential and related amendments to certain other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

5 **EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018** — Mr Merlino obtained leave to bring in a Bill '*for an Act to amend the **Emergency Management Act 2013** to provide for new integrated arrangements for emergency management planning in Victoria at the State, regional and municipal levels, consequentially to amend the **Emergency Management Act 1986**, the **Alpine Resorts (Management) Act 1997**, the **Country Fire Authority Act 1958**, the **Electricity Safety Act 1998**, the **Marine (Drug, Alcohol and Pollution Control) Act 1988**, the **Terrorism (Community Protection) Act 2003** and the **Victoria State Emergency Service Act 2005**, to amend the **Alpine Resorts (Management) Act 1997** in relation to municipal councils and the **Southern Alpine Resort Management Board**, to amend the **Victoria State Emergency Service Act 2005** in relation to compensation and to revoke the permanent reservation of certain land and reserve it temporarily and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Pedestrian Crossing for Forest Road in The Basin — Requesting that the Legislative Assembly calls on the Government to request that VicRoads provides the necessary funding to install a pedestrian crossing on Forest Road near Wright Street, The Basin, bearing 43 signatures (*Ms Victoria*).

Ordered to be tabled.

7 **DOCUMENTS**

WESTERN ROADS UPGRADE: PROJECT SUMMARY — Tabled by leave (*Mr Donnellan*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 2 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Audit Amendment Bill 2017

Bail Amendment (Stage Two) Bill 2017

Children Legislation Amendment (Information Sharing) Bill 2017

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018

Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018

Labour Hire Licensing Bill 2017
 Marine and Coastal Bill 2017
 SR 108/2017 — Heritage Regulations 2017

together with appendices.

Ordered to be tabled and published.

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE — Ms Ryall, Deputy Chair, presented a report from the Economic, Education, Jobs and Skills Committee on the Inquiry into fuel prices in regional Victoria, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Murray-Darling Basin Authority — Report 2016–17

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C264, C275
 Buloke — C27
 Colac Otway — C96
 Corangamite — C47
 Greater Geelong — C377
 Mansfield — C39
 Maroondah — C110
 Melbourne — C276
 Moira — C86
 South Gippsland — C100
 Whitehorse — C191

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SR 8
Legal Profession Uniform Law Application Act 2014 — SR 7
Magistrates' Court Act 1989 — SR 9

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 134/2017, 7, 9
 Documents under s 16B in relation to the *Dairy Act 2000* — Revocation of the Code of Practice for Dairy Food Safety 2002.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Electronic Conveyancing (Adoption of National Law) Act 2013 — Remaining provisions — 14 February 2018 (*Gazette S49, 13 February 2018*)
Family Violence Protection Amendment (Information Sharing) Act 2017 — Whole Act (except Division 2 of Part 5 and ss 31 and 37) — 26 February 2018 (*Gazette S40, 6 February 2018*)
Serious Sex Offenders (Detention and Supervision) Amendment (Governance) Act 2017 — Whole Act — 27 February 2018 (*Gazette S49, 13 February 2018*).

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Compensation Legislation Amendment Bill 2017 without amendment.

9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Health and Child Wellbeing Legislation Amendment Bill 2017 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Oaths and Affirmations Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

11 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 13 February 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Compensation Legislation Amendment Bill 2017
Firearms Amendment Bill 2017.

12 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018
Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018.

13 **RESIGNATION OF MEMBER OF THE LEGISLATIVE COUNCIL** — The Speaker announced that he had received the following letter from the Governor:

9 February 2018

The Hon Colin Brooks MP
Speaker of the Legislative Assembly
Parliament House
Spring Street
Melbourne Vic 3002

Dear Speaker

I advise that I have today received from Ms Colleen Hartland her written resignation as a Member of the Victorian Legislative Council.

I enclose for your information a copy of her letter. I have also sent a copy to the Premier and to the President of the Legislative Council.

Yours sincerely

Linda Dessau AC
Governor of Victoria.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL — COUNCIL VACANCY** — The Speaker announced the receipt of a message from the Legislative Council proposing that the Council meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Ms Colleen Hartland and that the place

and time of such meeting be the Legislative Assembly Chamber on Wednesday 21 February 2018 at 6.15 pm.

Ordered — That the message be taken into consideration immediately.

Motion made and question — That this House agrees to the Legislative Council's proposal for a joint sitting on Wednesday 21 February 2018 at 6.15 pm in the Legislative Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the seat in the Legislative Council rendered vacant by the resignation of Ms Colleen Hartland (*Ms Allan*) — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 22 February 2018:

Audit Amendment Bill 2017

Children Legislation Amendment (Information Sharing) Bill 2017

Marine and Coastal Bill 2017

Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 16 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 17 **AUDIT AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 18 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Road Safety Amendment (Automated Vehicles) Bill 2017 without amendment.
- 19 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

- 20 **MARINE AND COASTAL BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 21 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Planning and Environment Amendment (Public Land Contributions) Bill 2017 without amendment.

- 22 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Mr Battin announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 23 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.18 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 165 — Wednesday 21 February 2018

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Bushland Reserve in Rye — Requesting that the Legislative Assembly calls on the Government to — (a) protect the bushland reserve located at 50 Flinders Street Rye; (b) retain the land for public use; and (c) protect the bushland reserve from future housing subdivision, bearing 95 signatures (*Mr Dixon*)

Intersection upgrades on the Great Ocean Road — Requesting that the Legislative Assembly calls on the Government to request that VicRoads — (a) provides funding to upgrade the Birregurra-Forest Road and Colac-Lorne Road intersection, Tomahawk Creek Road and Princes Highway intersection and Cape Otway Road and Winchelsea-Deans Marsh Road intersection; and (b) funds other major safety upgrades required on tourist roads leading onto the Great Ocean Road, bearing 448 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

- 3 **PETITION — PEDESTRIAN CROSSING FOR FOREST ROAD IN THE BASIN** — Motion made and question — That the petition presented by the Member for Bayswater on 20 February 2018 be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

4 **PETITION — BUSHLAND RESERVE IN RYE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — INTERSECTION UPGRADES ON THE GREAT OCEAN ROAD** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

6 **DOCUMENTS**

MELBOURNE EXHIBITION CENTRE — EXPANSION PROJECT: PROJECT SUMMARY — Tabled by leave (*Ms Allan*).

ACCOUNTABILITY AND OVERSIGHT COMMITTEE — Mr Angus, Chair, presented a report from the Accountability and Oversight Committee on Victorian Oversight Agencies 2016–17.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Statutory Rules under the following Acts:

Aboriginal Heritage Act 2006 — SR 10

Family Violence Protection Act 2008 — SR 14

Medical Treatment Planning and Decisions Act 2016 — SR 13

Serious Sex Offenders (Detention and Supervision) Act 2009 — SR 12

Veterinary Practice Act 1997 — SR 11

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 10, 11, 12, 13.

7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Victims) Bill 2017 without amendment.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2016–17

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into electronic voting.

10 **PARKS VICTORIA BILL 2018** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 7 March 2018.

- 11 **EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018** — *Mr Merlino tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Merlino*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 7 March 2018.

- 12 **HEALTH AND CHILD WELLBEING LEGISLATION AMENDMENT BILL 2017** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 13 **OATHS AND AFFIRMATIONS BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 14 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 15 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 16 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 17 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 18 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — CAPITAL INVESTMENT IN VICTORIAN SCHOOLS** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes the importance of capital investment in Victorian schools, and further notes:

- (1) the Andrews Labor Government opened 11 new schools in 2018;

- (2) the \$2.5 billion invested by Labor to improve classrooms, upgrade facilities and build new schools;
- (3) the former Government cut hundreds of millions of dollars from school capital upgrades and failed to invest in any new school that could open in 2016; and
- (4) the Member for Kew described investing in school infrastructure as a 'distraction'.

Mr Merlino addressed the House — Discussion followed.

- 19 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.23 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 166 — Thursday 22 February 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Public Bus Service from Corryong to Wodonga — Requesting that the Legislative Assembly calls on the Government to provide funding for a daily return bus service from Corryong to Wodonga, bearing 297 signatures (*Mr Tilley*)

Planting of Deciduous Trees — Requesting that the Legislative Assembly calls on the Government to ensure the planting of deciduous trees capable of providing canopy over major roads and in parks, bearing 2 signatures (*Mr Southwick*)

Caulfield Racecourse Reserve — Requesting that the Legislative Assembly calls on the Government to replace the remainder of the corrugated iron fence with an open metal palisade fence of similar height allowing visibility of the Caulfield Racecourse Reserve, bearing 2 signatures (*Mr Southwick*).

Petitions ordered to be tabled.

3 **PETITION — PUBLIC BUS SERVICE FROM CORRYONG TO WODONGA** — Motion made and question — That the petition presented by the Member for Benambra be taken into consideration tomorrow (*Mr Tilley*) — put and agreed to.

4 **PETITION — MANSFIELD SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Eildon on 8 February 2018 be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

5 **DOCUMENTS**

TUNNEL AND STATIONS PUBLIC PRIVATE PARTNERSHIP: PROJECT SUMMARY — Tabled by leave (*Ms Allan*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C280
 Brimbank — C148, GC65
 Casey — GC78
 East Gippsland — C105
 Frankston — C118, GC71
 Greater Dandenong — GC78
 Hobsons Bay — GC65
 Kingston — GC71
 Maribyrnong — GC65
 Melbourne — GC65
 Moorabool — C89, GC79
 Port of Melbourne — GC65
 Surf Coast — C85, GC79
 Wyndham — GC65
 Yarra — GC79

Subordinate Legislation Act 1994 — Documents under s 16B in relation to the *Gambling Regulation Act 2003* — Determination of Gaming Machine Entitlement Allocation and Transfer Rules.

6 **JOINT SITTING — LEGISLATIVE COUNCIL VACANCY** — The Speaker reported that the House met on Wednesday 21 February 2018 with the Legislative Council for the purpose of choosing a person to hold the seat in the Legislative Council rendered vacant by the resignation of Ms Colleen Hartland and that Ms Huong Truong was duly chosen to hold the vacant place.

7 **HEALTH AND CHILD WELLBEING LEGISLATION AMENDMENT BILL 2017** — The Speaker announced that he had received a report from the Acting Clerk of the Parliaments, that under Joint Standing Order 6(1), he has made the following corrections in the Bill:

New clause 23 of the Bill, as inserted by the Council's amendment agreed to by the Assembly, inserts new section 149A into the *Public Health and Wellbeing Act 2008*. He has inserted the quotation mark at the start of new section 149A and the quotation mark and second full stop at the end of subsection (3) of new section 149A. The grammatical marks inserted are required as the new section 149A is to be inserted into the Principal Act.

8 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 6 March 2018 (*Ms Allan*) — put and agreed to.

9 **STATEMENTS BY MEMBERS** — Statements by members were made.

10 **HOSPITAL FUNDING** — Motion made and question proposed — That this House:

- (1) condemns the Federal Government for a funding proposal that short-changes our hospitals by over \$2 billion;
- (2) condemns the Leader of the Opposition for failing to stand up to Canberra on Victorian hospital funding; and
- (3) notes the Federal Government owes Victoria \$104 million for hospital services already provided.

(*Ms Hennessy*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

13 **HOSPITAL FUNDING** — Debate continued on question — That this House:

- (1) condemns the Federal Government for a funding proposal that short-changes our hospitals by over \$2 billion;
- (2) condemns the Leader of the Opposition for failing to stand up to Canberra on Victorian hospital funding; and
- (3) notes the Federal Government owes Victoria \$104 million for hospital services already provided.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

14 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 780*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 20 February 2018 had expired.

Question — That clause 1 stands part of the Bill — put and agreed to.

Question — That clauses 2 to 41 inclusive stand part of the Bill, the Bill be agreed to without amendment, and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

15 **PLANNING AND ENVIRONMENT AMENDMENT (DISTINCTIVE AREAS AND LANDSCAPES) BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

16 **MARINE AND COASTAL BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

17 **AUDIT AMENDMENT BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

18 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.37 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 164, 165 and 166

No 166 — Thursday 22 February 2018

CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017

Clause 1 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 20 February 2018 had expired (for remaining stages see p 778).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 167, 168 and 169

No 167 — Tuesday 6 March 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **ENGINEERS REGISTRATION BILL 2018** — Mr Pallas obtained leave to bring in a Bill *'for an Act to establish a scheme for the registration of professional engineers to promote best practice in providing professional engineering services, to provide for the endorsement of registration, to provide protection to consumers of professional engineering services and to make consequential amendments to other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **LEGAL IDENTITY OF DEFENDANTS (ORGANISATIONAL CHILD ABUSE) BILL 2018** — Mr Pakula obtained leave to bring in a Bill *'for an Act to provide for child abuse plaintiffs to sue an organisational defendant in respect of unincorporated non-government organisations which use trusts to conduct their activities, to consequentially amend other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Mr Pakula obtained leave to bring in a Bill *'for an Act to re-enact with amendments the law relating to guardianship and administration, to repeal the **Guardianship and Administration Act 1986** and to amend consequentially various other Acts and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
 - Planting of Deciduous Trees** — Requesting that the Legislative Assembly calls on the Government to ensure the planting of deciduous trees capable of providing canopy over major roads and in parks, bearing 1 signature (*Ms McLeish*)
 - Mornington Peninsula Development** — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 517 signatures (*Mr Dixon*)
 - Native Vegetation Regulation** — Requesting that the Legislative Assembly calls on the Government to use the Review of Native Vegetation Regulations conducted by the Department of Environment, Land, Water and Planning to recognise the economic and environmental benefits of small scale mining and farming projects, bearing 115 signatures (*Ms Staley*)
 - Power Supply** — Requesting that the Legislative Assembly calls on the Government to maintain a reliable power supply for Victorian patients who are dependent on oxygen machines, home dialysis machines and other electrical powered equipment, bearing 2 signatures (*Mr Thompson, Sandringham*).

Petitions ordered to be tabled.

8 **PETITION — NATIVE VEGETATION REGULATION** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

9 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

10 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 3 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Audit Amendment Bill 2017

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018

Emergency Management Legislation Amendment Bill 2018

Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018

Parks Victoria Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Gresswell Habitat Link

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Kingston — C162

Melbourne — C321

Stonnington — C255, C257

Victoria Planning Provisions — VC144

Statutory Rules under the following Acts:

Children, Youth and Families Act 2005 — SR 15

Liquor Control Reform Act 1998 — SR 16

Road Safety Act 1986 — SR 17

Victorian Civil and Administrative Tribunal Act 1998 — SR 18

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 2, 5, 8, 14, 15, 16, 17, 23

Documents under s 16B in relation to:

Renewable Energy (Jobs and Investment) Act 2017 — Notice of Capacity Determination under s 9

Transport (Compliance and Miscellaneous) Act 1983:

Conditions under s 220D

Specification of Railway Stations for the purposes of the definition of 'Compulsory Ticket Area'.

The following proclamation fixing an operative date was tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Drugs, Poisons and Controlled Substances Amendment (Medically Supervised Injecting Centre) Act 2017 — Whole Act — 28 February 2018 (Gazette S71, 27 February 2018).

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Bail Amendment (Stage Two) Bill 2017 without amendment.

12 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 27 February 2018, given the royal assent to the following bills, presented to him by the Acting Clerk of the Parliaments:

Bail Amendment (Stage Two) Bill 2017
 Health and Child Wellbeing Legislation Amendment Bill 2017
 Justice Legislation Amendment (Victims) Bill 2017
 Oaths and Affirmations Bill 2017
 Planning and Environment Amendment (Public Land Contributions) Bill 2017
 Road Safety Amendment (Automated Vehicles) Bill 2017.

13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Emergency Management Legislation Amendment Bill 2018
 Parks Victoria Bill 2018.

14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 8 March 2018:

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018
 Emergency Management Legislation Amendment Bill 2018
 Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Bill 2018
 Long Service Leave Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

15 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 16 **ELECTRICITY SAFETY AMENDMENT (ELECTRICAL EQUIPMENT SAFETY SCHEME) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 5 inclusive, be postponed until later this day.

- 18 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the House has assurances from the Government that every government department and agency is covered by the Bill and no government agency or department will be exempt from the provisions of the Bill by way of agreements with the Government' (*Mr Smith, Warrandyte*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.35 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 168 — Wednesday 7 March 2018

- 1 The Speaker took the Chair and read the Prayer.

- 2 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to advance the treaty process between Aboriginal Victorians and the State by providing for the recognition of the Aboriginal Representative Body, enshrining the guiding principles for the treaty process and requiring the Aboriginal Representative Body and the State to work together to establish elements necessary to support future treaty negotiations and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Banyule Primary School — Requesting that the Legislative Assembly calls on the Government to consider Banyule Primary School for capital works funding, bearing 511 signatures (*Mr Carbines*)

Bike Lanes on High Street, Belmont — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street, Belmont, bearing 1100 signatures (*Mr Katos*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 534 signatures (*Ms Spence*).

Petitions ordered to be tabled.

4 **PETITION — BANYULE PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Ms Suleyman*) — put and agreed to.

5 **PETITION — BIKE LANES ON HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

6 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Gillott Reserve

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 14.

7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Gambling Legislation Amendment Bill 2017
Racing Amendment (Modernisation) Bill 2017.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Environment, Natural Resources and Regional Development Committee's Interim report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils

Accountability and Oversight Committee's Report on the Victorian Oversight Agencies 2016–17

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects.

10 **LEGAL IDENTITY OF DEFENDANTS (ORGANISATIONAL CHILD ABUSE) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 March 2018.

- 11 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodggett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 March 2018.

- 12 **ENGINEERS REGISTRATION BILL 2018** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 21 March 2018.

- 13 **LONG SERVICE LEAVE BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 16 **LONG SERVICE LEAVE BILL 2017** — Resumption on question — That this Bill be now read a second time.

Ms Hutchins announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 17 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — FIRE SERVICES** — The House was informed that Mr Battin had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

That this House condemns the Andrews Labor Government for its total mismanagement of our fire services from December 2014 until today, noting in particular:

- (1) The handling of the protracted CFA EBA negotiations;
- (2) The handling of the MFB EBA negotiations;
- (3) The disrespect shown to Victoria's hardworking volunteer firefighters;

- (4) The loss of so many staff and Board members of each of our fire service organisations; and
- (5) Allowing the United Firefighters Union to take control of the operations of our fire services.'

Mr Battin addressed the House — Discussion followed.

- 18 **LONG SERVICE LEAVE BILL 2017** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.20 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 169 — Thursday 8 March 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Birth Certificates — Requesting that the Legislative Assembly calls on the Government to review and end the Registry of Births, Deaths and Marriages' standard practice of annotating the birth certificate of a deceased person, particularly newborn babies, with the word 'deceased', bearing 674 signatures (*Mr Pesutto*)

Craigieburn Road West, Craigieburn — Requesting that the Legislative Assembly calls on the Government to immediately fund and commence works on Craigieburn Road West, Craigieburn to duplicate the road from Hanson Road to Aitken Boulevard and install traffic lights and bus shelters, bearing 58 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — BIRTH CERTIFICATES** — Motion made and question — That the petition presented by the Member for Hawthorn be taken into consideration tomorrow (*Mr Pesutto*) — put and agreed to.
- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Improving Victoria's Air Quality — Ordered to be published
Local Government and Economic Development — Ordered to be published
Managing Surplus Government Land — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Economic, Education, Jobs and Skills Committee's Report on the Inquiry into community energy projects

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Frankston — C119, GC94
Kingston — GC94
Yarra — C237

Statutory Rules under the following Acts:

Australian Grands Prix Act 1994 — SR 23
County Court Act 1958 — SR 24
Meat Industry Act 1993 — SR 20
Transport (Compliance and Miscellaneous) Act 1983 — SR 22
Wildlife Act 1975 — SRs 19, 21

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 24

Victorian Environmental Assessment Council Act 2001 — Notice of request for an assessment under s 26C.

5 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 27 March 2018 (*Ms Allan*) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Statements by members were made.

7 **EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 41

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

11 **HOSPITAL FUNDING** — Order read for resuming debate on question — That this House:

- (1) condemns the Federal Government for a funding proposal that short-changes our hospitals by over \$2 billion;
- (2) condemns the Leader of the Opposition for failing to stand up to Canberra on Victorian hospital funding; and
- (3) notes the Federal Government owes Victoria \$104 million for hospital services already provided; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 42

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Debate resumed on question — That the motion be agreed to.

Motion made and question — That the debate be now adjourned (*Ms Allan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

12 **LONG SERVICE LEAVE BILL 2017** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see pp 792–3*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 March 2018 had expired.

Question — That clause 30 stands part of the Bill — put and agreed to.

Question — That clauses 31 to 62 inclusive stand part of the Bill, Government amendment Nos 3 to 6 inclusive be agreed to and the Bill be agreed to as amended — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

13 **ELECTRICITY SAFETY AMENDMENT (ELECTRICAL EQUIPMENT SAFETY SCHEME) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

14 **INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (PUBLIC INTEREST DISCLOSURES, OVERSIGHT AND INDEPENDENCE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the House has assurances from the Government that every government department and agency is covered by the Bill and no government agency or department will be exempt from the provisions of the Bill by way of agreements with the Government'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and Government amendment Nos 1 to 7 inclusive be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 15 **EMERGENCY MANAGEMENT LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.14 pm under sessional orders.

- 16 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.51 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 167, 168 and 169

No 169 — Thursday 8 March 2018

LONG SERVICE LEAVE BILL 2017

Clause 1 agreed to.

Clause 2, Ms Hutchins moved amendment No 1 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 3, Ms Hutchins moved amendment No 2 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clauses 4 to 29 agreed to.

Clause 30 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 6 March 2018 had expired (for remaining stages see p 790).

SCHEDULE OF AMENDMENTS MOVED

LONG SERVICE LEAVE BILL 2017

Amendments moved by Ms Hutchins

1. Clause 2, line 7, omit "June" and insert "November".
2. Clause 3, page 2, lines 12 to 20, omit all words and expressions on these lines.

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 170, 171 and 172

No 170 — Tuesday 27 March 2018

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **EDUCATION LEGISLATION AMENDMENT (VICTORIAN INSTITUTE OF TEACHING, TAFE AND OTHER MATTERS) BILL 2018** — Mr Merlino obtained leave to bring in a Bill *for an Act to amend the **Education and Training Reform Act 2006** in relation to the registration of teachers and early childhood teachers, the sharing of information between the Victorian Institute of Teaching and other bodies relating to registered teachers or applicants for registration, the handling of complaints by the Victorian Registration and Qualifications Authority and to provide for a TAFE institute to merge with an adult education institution and to make other miscellaneous amendments to that Act and to make related amendments to the **Working with Children Act 2005** and to the **Children, Youth and Families Act 2005** and to make minor amendments to the **Public Administration Act 2004** and to amend various university Acts in relation to members of university Councils and for other purposes*; and, after debate, the Bill was read a first time.

Motion made and question — That this Bill be read a second time tomorrow (*Mr Pallas*) — and, after debate —

Amendment proposed — That the word 'tomorrow' be omitted with the view of inserting in its place the words 'when a select committee of this House has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs' (*Mr Clark*) — and, after debate —

Question — That the word proposed to be omitted stands part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

- 5 **JUSTICE LEGISLATION AMENDMENT (ACCESS TO JUSTICE) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Australian Consumer Law and Fair Trading Act 2012, the Births, Deaths and Marriages Registration Act 1996, the Civil Procedure Act 2010, the County Court Act 1958, the Legal Aid Act 1978, the Legal Profession Uniform Law Application Act 2014, the Magistrates' Court Act 1989, the Victoria Law Foundation Act 2009 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes*'; and, after debate, the Bill was read a first time.

Motion made and question — That this Bill be read a second time tomorrow (*Mr Pakula*) — and, after debate —

Amendment proposed — That the word 'tomorrow' be omitted with the view of inserting in its place the words 'when a select committee of this House has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs' (*Mr Clark*) — and, after debate —

Question — That the word proposed to be omitted stands part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

- 6 **LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the Gambling Regulation Act 2003, the Liquor Control Reform Act 1998, and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 7 **LONG SERVICE BENEFITS PORTABILITY BILL 2018** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to provide portability of long service benefits in certain industries and to amend other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.

8 DOCUMENTS

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE — Mr Howard, Chair, presented a report from the Law Reform, Road and Community Safety Committee on the Inquiry into

Drug Law Reform, together with appendices, extract from the proceedings, summary booklet, minority report and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract from the proceedings, summary booklet and minority report published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 4 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Charities Amendment (Charitable Purpose) Bill 2018
 Engineers Registration Bill 2018
 Guardianship and Administration Bill 2018
 Legal Identity of Defendants (Organisational Child Abuse) Bill 2018
 Parks Victoria Bill 2018

together with appendices.

Ordered to be tabled and published.

ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Mr Bull (*Sunbury*), Chair, presented the final report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Commissioner for Environmental Sustainability Act 2003 — Strategic Audit: Implementation of Environmental Management Systems in Victorian Government 2016–17

Crown Land (Reserves) Act 1978 — Order under s 17D granting a lease over Glenfern Valley Bushland Reserve

Duties Act 2000 — Report 1 July to 31 December 2017 of Foreign Purchaser Additional Duty Exemptions under s 3E

Financial Management Act 1994 — 2017–18 Mid-Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2017

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 26 (*Gazette G12*, 22 March 2018)

Land Tax Act 2005 — Report 1 July to 31 December 2017 of Land Tax Absentee Owner Surcharge Exemptions under s 3B

Ombudsman — Investigation of a matter referred from the Legislative Council on 25 November 2015 — After debate, ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C279
 Gannawarra — C42

Greater Geelong — C365
 Greater Shepparton — C199
 Indigo — C73
 Knox — C161
 Latrobe — C102
 Melbourne — C330
 Northern Grampians — C35
 Stonnington — C243
 Surf Coast — C96
 Swan Hill — C65
 Warrnambool — C102
 Yarra — C242

Statutory Rules under the following Acts:

Building Act 1993 — SR 26
Conservation, Forests and Lands Act 1987 — SR 25
Drugs, Poisons and Controlled Substances Act 1981 — SR 31
Magistrates' Court Act 1989 — SRs 28, 29
Rail Safety (Local Operations) Act 2006 — SR 27
Victorian Civil and Administrative Tribunal Act 1998 — SR 30

Subordinate Legislation Act 1994:

Documents under s 15 in relation to — *Occupational Health and Safety Act 2004*:

Ministers orders approving:

Compliance code: Confined spaces
 Compliance code: Facilities in construction
 Compliance code: Hazardous manual handling
 Compliance code: Noise
 Compliance code: Plant

Documents under s 15 in relation to — Statutory Rules 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30

Documents under s 16B in relation to:

National Parks Act 1975 — National Parks (Authorization to Carry and Use Firearms or Other Weapons in the Course of Hunting Deer by Stalking in the Avon Wilderness Park, Tara Range Park and Specified Areas of the Alpine and Baw Baw National Parks) Notice

Wildlife Act 1975 — Declaration of Certain Wildlife as Unprotected Wildlife on Private Property under s 7A

Snowy Hydro Corporatisation Act 1997 — Documents under s 6A (three documents)

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q

Victorian Inspectorate — Reports 2016–17 under s 39 of the *Crimes (Controlled Operations) Act 2004*, s 131T of the *Fisheries Act 1995* and s 74P of the *Wildlife Act 1975*

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice (*Gazette S112*, 13 March 2018).

The following proclamation fixing an operative date was tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Health Legislation Amendment (Quality and Safety) Act 2017 — Sections 6 to 32, 45 to 59, Part 3 and ss 80 to 88 — 1 April 2018 (*Gazette S96*, 6 March 2018).

- 9 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Children Legislation Amendment (Information Sharing) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 10 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 14 March 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Gambling Legislation Amendment Bill 2017
 Racing Amendment (Modernisation) Bill 2017.

- 11 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Engineers Registration Bill 2018
 Guardianship and Administration Bill 2018.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 29 March 2018:

Engineers Registration Bill 2018
 Guardianship and Administration Bill 2018
 Legal Identity of Defendants (Organisational Child Abuse) Bill 2018
 Parks Victoria Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 42

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 14 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made, and question — That so much of standing and sessional orders be suspended on Wednesday 28 March 2018 so as to allow —

- (1) Business to be interrupted immediately after the conclusion of constituency questions and the Victorian Treaty Advancement Commissioner Jill Gallagher AO, Geraldine Atkinson, Paul Briggs OAM, Vicki Clark, Janine Coombs, and Mick Harding to attend on the floor of the House;
- (2) The visitors to carry into the House a wooden message stick, wooden digging stick and shield;

- (3) The House to proceed with the order of the day relating to the second reading of the Advancing the Treaty Process with Aboriginal Victorians Bill 2018;
- (4) After debate on the Bill is adjourned, two of the visitors to address the House in English and Aboriginal languages for up to five minutes each to explain what the Bill and the broader treaty process means to them, their families and Victorian Aboriginal communities and how it may support reconciliation to benefit all Victorians;
- (5) The Premier, Leader of the Opposition, a representative of the Greens, and each independent member up to five minutes each to respond to the visitors' remarks;
- (6) The visitors to leave the floor of the House following the responses

(*Ms Hutchins*) — and, after debate —

Amendments proposed — That the motion be amended as follows:

- (1) Omit paragraph (3);
- (2) Omit '(4) After the debate be adjourned, two' and insert '(3) Two';
- (3) In paragraph (4), omit 'the Bill and';
- (4) Omit paragraph (5);
- (5) Renumber paragraph (6) as (4);
- (6) Add the following words at the end of the motion: '(5) The House to proceed with the order of the day relating to the second reading of the Advancing the Treaty Process with Aboriginal Victorians Bill 2018.'

(*Mr Clark*) — and, after debate —

Question — That the amendments be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Original question — put and agreed to.

- 15 **LEGAL IDENTITY OF DEFENDANTS (ORGANISATIONAL CHILD ABUSE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 16 **PARKS VICTORIA BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.
- Ms Kairouz announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.
- Debate resumed on question — That this Bill be now read a second time.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 17 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 171 — Wednesday 28 March 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Keysborough South Primary and Secondary Schools** — Requesting that the Legislative Assembly calls on the Government to — (a) provide funding for the construction of Keysborough South Primary School and Keysborough South Secondary School to open in 2019; and (b) find a site location for a new Secondary School for the wider Keysborough region, bearing 497 signatures (*Mr Pakula*)
- Aquatic and Recreation Centre in Yarrowonga** — Requesting that the Legislative Assembly calls on the Government to encourage Moira Shire Council to commit to an Aquatic and Recreation Centre in Yarrowonga, bearing 4027 signatures (*Mr McCurdy*)
- Miners Rest Primary School** — Requesting that the Legislative Assembly calls on the Government to commit to building a new primary school in Miners Rest, bearing 134 signatures (*Ms Staley*)
- Bike Lanes High Street, Belmont** — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street, Belmont, bearing 696 signatures (*Mr Katos*).
- Petitions ordered to be tabled.
- 3 **PETITION — MINERS REST PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

4 **PETITION — BIKE LANES HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

5 **PETITION — AQUATIC AND RECREATION CENTRE IN YARRAWONGA** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.

6 **STATEMENTS BY MEMBERS** — Statements by members were made.

7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2016–17

Law Reform, Road and Community Safety Committee's Report on the Inquiry into Drug Law Reform

Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2015–16

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates.

8 **SNOWY HYDRO LIMITED** — Motion made and question proposed — That under s 6(2A) of the *Snowy Hydro Corporatisation Act 1997*, the transfer of the State of Victoria's interest in Snowy Hydro Limited, held by the State Electricity Commission of Victoria, to the Commonwealth of Australia be approved (*Mr Pallas*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

Business having been interrupted under the resolution of the House on 27 March 2018.

11 **VISITORS** — In accordance with the resolution of the House on 27 March 2018, Victorian Treaty Advancement Commissioner Jill Gallagher AO, Geraldine Atkinson, Paul Briggs OAM, Vicki Clark, Janine Coombs and Mick Harding were admitted into the Chamber by the Serjeant-at-Arms.

12 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 11 April 2018.

13 **ADDRESSES BY VISITORS** — Victorian Treaty Advancement Commissioner Jill Gallagher AO and Chair of the Aboriginal Treaty Working Group Mick Harding addressed the House.

The Premier, the Leader of the Opposition, the Member for Northcote, the Leader of the Nationals (by leave) and the Member for Shepparton addressed the House.

The Speaker thanked the visitors and the Serjeant-at-Arms escorted them from the Chamber.

Business having been interrupted at 2.00 pm under sessional orders.

14 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

15 **SNOWY HYDRO LIMITED** — Debate continued on question — That under s 6(2A) of the *Snowy Hydro Corporatisation Act 1997*, the transfer of the State of Victoria's interest in Snowy Hydro Limited, held by the State Electricity Commission of Victoria, to the Commonwealth of Australia be approved.

Question — put and agreed to.

16 **EDUCATION LEGISLATION AMENDMENT (VICTORIAN INSTITUTE OF TEACHING, TAFE AND OTHER MATTERS) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Ryan*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 11 April 2018.

17 **JUSTICE LEGISLATION AMENDMENT (ACCESS TO JUSTICE) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Motion made and question — That the debate be adjourned for two weeks (*Mr Pakula*) — and, after debate —

Amendment proposed — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until a select committee of this House has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs' (*Mr Clark*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 40

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to. Debate adjourned until Wednesday 11 April 2018.

- 18 **LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Gippsland South*) — put and agreed to.

Motion made and question — That the debate be adjourned for two weeks (*Ms Kairouz*).

Amendment proposed — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until a select committee of this House has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs' (*Mr Clark*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 39

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

Original question — put and agreed to. Debate adjourned until Wednesday 11 April 2018.

- 19 **LONG SERVICE BENEFITS PORTABILITY BILL 2018** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Ms Hutchins made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Motion made and question — That the debate be adjourned for two weeks (*Ms Hutchins*).

Amendment proposed — That the words 'for two weeks' be omitted with the view of inserting in their place the words 'until a select committee of this House has been established to inquire into and report on the misuse of electorate office staffing entitlements by current and former Labor MPs' (*Mr Clark*) — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 39

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Graley; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

Original question — put and agreed to. Debate adjourned until Wednesday 11 April 2018.

- 20 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question proposed — That the amendments be agreed to (*Mr Foley*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

- 21 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.22 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 172 — Thursday 29 March 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Whiteheads Creek — Requesting that the Legislative Assembly calls on the Government to instruct the Goulburn Broken Catchment Management Authority to clean out Whiteheads Creek, bearing 1297 signatures (*Ms Ryan*)

Omeo Mountain Bike Trail — Requesting that the Legislative Assembly calls on the Government to fund the proposed Omeo mountain bike trail in the May 2018 budget, bearing 385 signatures (*Mr Bull, Gippsland East*)

Korumburra Secondary College — Requesting that the Legislative Assembly calls on the Government to fund the completion of the Korumburra Secondary College rebuild, bearing 548 signatures (*Mr O'Brien, Gippsland South*)

West Gippsland Hospital — Requesting that the Legislative Assembly calls on the Government to ensure West Gippsland receives the funds for a new West Gippsland Hospital, bearing 9820 signatures (*Mr Blackwood*)

Beveridge Primary School — Requesting that the Legislative Assembly calls on the Government to provide funding to build a new Beveridge Primary School in the May 2018 budget, bearing 163 signatures (*Ms Green*)

Yan Yean Road Upgrade — Requesting that the Legislative Assembly calls on the Government to ensure the upgrade of Yan Yean Road alleviates congestion and that it does not damage the environment, increase dangers or inconvenience the Plenty community, bearing 320 signatures (*Ms Green*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 109 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — OMEO MOUNTAIN BIKE TRAIL** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 4 **PETITION — WEST GIPPSLAND HOSPITAL** — Motion made and question — That the petition presented by the Member for Narracan be taken into consideration tomorrow (*Mr Blackwood*) — put and agreed to.
- 5 **PETITION — WHITEHEADS CREEK** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 6 **PETITION — KORUMBURRA SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Gippsland South be taken into consideration tomorrow (*Mr O'Brien, Gippsland South*) — put and agreed to.

- 7 **PETITION — BEVERIDGE PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 8 **PETITION — YAN YEAN ROAD UPGRADE** — Motion made and question — That the petition presented by the Member for Yan Yean be taken into consideration tomorrow (*Ms Green*) — put and agreed to.
- 9 **PETITION — DUPLICATION OF MICKLEHAM ROAD** — Motion made and question — That the petition presented by the Member for Yuroke be taken into consideration tomorrow (*Ms Green*) — put and agreed to.

- 10 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Fraud and Corruption Control — Ordered to be published
 Protecting Victoria's Coastal Assets — Ordered to be published
 Safety and Cost Effectiveness of Private Prisons — Ordered to be published

Crimes Act 1958 — Instrument of Authorisation under s 464Z

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary Return March 2018 and Summary of Variations Notified between 19 February and 26 March 2018 — Ordered to be published

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2016–17

Statutory Rules under the *Supreme Court Act 1986* — SRs 32, 33

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 31, 32, 33.

- 11 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 1 May 2018 (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 42

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.

13 **PRODUCTION OF DOCUMENTS** — Motion made and question proposed — That under SO 171, this House requires the Premier to produce to the House, by 5.00 pm on Wednesday 9 May 2018, the following:

- (1) Documents considered by or relating to the investigation into advice provided to the office of the Minister for Planning by the Department of Planning and Community Development in relation to land development at Phillip Island conducted under the *Ombudsman Act 1973*;
- (2) Documents relating to the Bass Coast Planning Scheme Amendment C125 not otherwise included in paragraph (1), including the cover note to the brief reference CMIN028572 endorsed by the responsible minister; and
- (3) Documents relating to the conduct and resolution of the proceedings in the Supreme Court of Victoria, *Carley Elizabeth Nicholls v The Minister for Planning and the State of Victoria* (Supreme Court proceedings S CI 2012 250), including but not limited to advice of the Victorian Government Solicitor's Office, relevant documents submitted to the Litigation and Parliamentary Business Committee, and any Deeds of Settlement

(Ms Allan) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

14 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

15 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

16 **PRODUCTION OF DOCUMENTS** — Debate continued on question — That under SO 171, this House requires the Premier to produce to the House, by 5.00 pm on Wednesday 9 May 2018, the following:

- (1) Documents considered by or relating to the investigation into advice provided to the office of the Minister for Planning by the Department of Planning and Community Development in relation to land development at Phillip Island conducted under the *Ombudsman Act 1973*;
- (2) Documents relating to the Bass Coast Planning Scheme Amendment C125 not otherwise included in paragraph (1), including the cover note to the brief reference CMIN028572 endorsed by the responsible minister; and
- (3) Documents relating to the conduct and resolution of the proceedings in the Supreme Court of Victoria, *Carley Elizabeth Nicholls v The Minister for Planning and the State of Victoria* (Supreme Court proceedings S CI 2012 250), including but not limited to advice of the Victorian Government Solicitor's Office, relevant documents submitted to the Litigation and Parliamentary Business Committee, and any Deeds of Settlement.

Question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt.

Question agreed to.

- 17 **CHILDREN LEGISLATION AMENDMENT (INFORMATION SHARING) BILL 2017** — Order read for resuming debate on question — That the amendments made by the Legislative Council be agreed to; debate resumed.

Question — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 18 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **ENGINEERS REGISTRATION BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until:

- (1) The cost-benefit analysis of the registration scheme, including the additional cost to individual engineers and infrastructure projects, is released; and
- (2) The potential negative effect of the proposed registration scheme on rural communities by restricting access to engineering services is identified and addressed.'

(*Mr O'Brien, Malvern*) — and, after debate —

Allocation of time — *The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 27 March 2018 had expired.*

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **PARKS VICTORIA BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 7 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **LEGAL IDENTITY OF DEFENDANTS (ORGANISATIONAL CHILD ABUSE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 22 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 23 **GUARDIANSHIP AND ADMINISTRATION BILL 2018** — The Speaker announced that he had received a report from the Acting Clerk that she has made the following correction in the Bill:

In Clause 16(2), line 26, she has deleted '(1)(h)' and inserted '(1)(i)' so that it now refers to the correct subsection.

Business having been interrupted at 5.12 pm under sessional orders.

- 24 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.40 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
No 173

No 173 — Tuesday 1 May 2018

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

4 **STATE TAXATION ACTS AMENDMENT BILL 2018** — Mr Pallas obtained leave to bring in a Bill 'for an Act to amend the *Duties Act 2000*, the *Payroll Tax Act 2007* and the *Unclaimed Money Act 2008* and for other purposes'; and the Bill was read a first time and ordered to be read a second time tomorrow.

5 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Yarck Township Speed Limit — Requesting that the Legislative Assembly reduces the speed limit in Yarck from 80km/h to 60km/h, bearing 113 signatures (*Ms McLeish*).

Ordered to be tabled.

6 **PETITION — YARCK TOWNSHIP SPEED LIMIT** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

7 **DOCUMENTS**

UNIVERSITY OF DIVINITY — Report 2017 tabled by leave (*Mr Merlino*).

BUDGET PAPERS 2018–19 —

Budget Paper No 1 — Treasurer's Speech

Budget Paper No 4 — State Capital Program

Budget Overview

Budget Information Paper — Suburban

Budget Information Paper — Rural and Regional

Budget Information Paper — Gender Equality Statement

tabled by leave (*Mr Pallas*).

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the 2016–17 Financial and Performance Outcomes, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the Appointment of the Parliamentary Budget Officer (Victoria).

Ordered to be tabled and published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 5 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Advancing the Treaty Process with Aboriginal Victorians Bill 2018
 Education Legislation Amendment (Victorian Institute of Teaching, TAFE and Other Matters) Bill 2018
 Engineers Registration Bill 2018
 Guardianship and Administration Bill 2018
 Justice Legislation Amendment (Access to Justice) Bill 2018
 Legal Identity of Defendants (Organisational Child Abuse) Bill 2018
 Liquor and Gambling Legislation Amendment Bill 2018
 Long Service Benefits Portability Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Bendigo Kangan Institute — Report 2017

Box Hill Institute — Report 2017

Centre for Adult Education — Report 2017

Chisholm Institute — Report 2017

Deakin University — Report 2017

Falls Creek Alpine Resort Management Board — Report 2017

Federation Training — Report 2017

Federation University Australia — Report 2017

Financial Management Act 1994:

Budget Paper No 2 — Strategy and Outlook 2018–19

Budget Paper No 3 — Service Delivery 2018–19

Budget Paper No 5 — Statement of Finances 2018–19 incorporating Quarterly Financial Report No 3

Gambling Regulation Act 2003 — Amendment to Category 1 Public Lottery Licence under s 5.3.19

Gordon Institute of TAFE — Report 2017

Goulburn Ovens Institute of TAFE — Report 2017

Holmesglen Institute — Report 2017

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 134/2017 (*Gazette G9, 1 March 2018*)

La Trobe University — Report 2017

Melbourne Polytechnic — Report 2017

Melbourne University — Report 2017

Monash University — Report 2017

Mount Buller and Mount Stirling Alpine Resort Management Board — Report 2017

Mount Hotham Alpine Resort Management Board — Report 2017

Municipal Association of Victoria — Report 2016–17

Ombudsman:

Investigation into Maribyrnong City Council's internal review practices for disability parking infringements — Ordered to be published

Investigation into Wodonga City Council's overcharging of a waste management levy — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C209

Buloke — C37

Colac Otway — C95

East Gippsland — C128

Glen Eira — C153, C180

Greater Dandenong — C198

Greater Shepparton — C190

Hume — C222

Manningham — C123

Melbourne — C313, C315, GC89

Moira — C85

Monash — C125 Part 1, C136

Moonee Valley — C169

Mount Alexander — C73

Port Phillip — GC89

Surf Coast — C121

Victoria Planning Provisions — VC138, VC140, VC145

Wellington — C84

Yarra Ranges — C167

RMIT University — Report 2017

Statutory Rules under the following Acts:

Building Act 1993 — SR 38

Constitution Act 1975 — SR 43

County Court Act 1958 — SR 34
Criminal Procedure Act 2009 — SR 46
Domestic Animals Act 1994 — SR 35
Drugs, Poisons and Controlled Substances Act 1981 — SR 45
Family Violence Protection Act 2008 — SR 36, 42
Greenhouse Gas Geological Sequestration Act 2008 — SR 41
Judicial Proceedings Reports Act 1958 — SR 37
Magistrates' Court Act 1989 — SR 42
Sheriff Act 2009 — SR 44
Subordinate Legislation Act 1994 — SR 40
Victoria Police Act 2013 — SR 39

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 34, 35, 36, 37, 38, 40, 42, 43, 44, 45, 46

Documents under s 16B in relation to:

Gambling Regulation Act 2003 — Notice under s 3.6.5A fixing the value of the supervision charge

Road Safety Act 1986:

Determination of the cost recovery fee for participants in the first-stage behaviour change program

Order declaring offences against the laws of other States and Territories to be corresponding interstate drink-driving offences

Wildlife Act 1975 — Ministerial Order No 1 — Wildlife (Commercial Fisheries — Interaction with Protected Wildlife)

Southern Alpine Resort Management Board — Report 2017

South West Institute of TAFE — Report 2017

Sunraysia Institute of TAFE — Report 2017

Swinburne University of Technology — Report 2017

Victoria University — Report 2017

Wildlife Act 1975:

Wildlife (Prohibition of Game Hunting) Amendment Notice (*Gazette S169, 11 April 2018*)

Wildlife (Prohibition of Game Hunting) Notice (*Gazette S152, 29 March 2018*)

William Angliss Institute of TAFE — Report 2017

Wodonga Institute of TAFE — Report 2017.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Bail Amendment (Stage Two) Act 2018 — Whole Act (except Parts 2 and 3) — 5 April 2018 (*Gazette S136, 27 March 2018*)

Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017 — Remaining provisions of Parts 4, 6 and 8 — 5 April 2018 (*Gazette S136, 27 March 2018*)

Children Legislation Amendment (Information Sharing) Act 2018 — Parts 1, 4, 5 (except Division 3) and 6 — 11 April 2018 (*Gazette S164, 10 April 2018*)

Crimes Legislation Amendment (Protection of Emergency Workers and Others) Act 2017 — Part 1, Part 2 (except ss 21, 22 and 23), Part 3 (except s 24(2)) and Part 4 — 5 April 2018 (*Gazette S136, 27 March 2018*)

Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Act 2017 — Whole Act — 1 July 2018 (*Gazette S190, 24 April 2018*)

Family Violence Protection Amendment Act 2017 — Part 2 (except ss 32 and 41), Part 6 and Division 1 of Part 9 — 29 March 2018 (*Gazette S136, 27 March 2018*)

Justice Legislation Amendment (Body-worn Cameras and Other Matters) Act 2017 — Whole Act (except Part 2) — 1 April 2018 (*Gazette S136, 27 March 2018*); Part 2 — 18 April 2018 (*Gazette S178, 17 April 2018*)

Justice Legislation Amendment (Protective Services Officers and Other Matters) Act 2017 — Parts 1, 2, 5 and 7 and s 59 — 1 April 2018 (*Gazette S136, 27 March 2018*)

Justice Legislation Amendment (Victims) Act 2018 — Remaining provisions — 5 April 2018 (*Gazette S136, 27 March 2018*)

Transport Legislation Amendment (Road Safety, Rail and Other Matters) Act 2017 — Part 3.4 — 2 April 2018; Part 2.2 (except s 6), ss 42 and 43, Division 1 of Part 2.7 and ss 72, 74 and 75 — 30 April 2018 (*Gazette S136, 27 March 2018*)

Voluntary Assisted Dying Act 2017 — Part 1 (except ss 4, 6, 7 and 8) and Part 9 (except Divisions 4 and 5) — 1 July 2018 (*Gazette S190, 24 April 2018*).

8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Rejecting the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017.

9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that she had on 10 April 2018 given the royal assent to the Children Legislation Amendment (Information Sharing) Bill 2017, presented to her by the Deputy Clerk of the Legislative Assembly for and in the absence of the Acting Clerk of the Parliaments.

10 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Justice Legislation Amendment (Access to Justice) Bill 2018
Liquor and Gambling Legislation Amendment Bill 2018
Long Service Benefits Portability Bill 2018.

11 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (2018–2019) Bill 2018, and accompanying Estimates of Expenditure requiring annual appropriation in the financial year 2018/2019.

Estimates ordered to be tabled.

12 **APPROPRIATION (2018–2019) BILL 2018** — Mr Pallas obtained leave to bring in a Bill '*for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2018/2019 and for other purposes*'; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 8 May 2018.

- 13 **MESSAGE FROM THE GOVERNOR** — Recommending an appropriation for the purposes of the Appropriation (Parliament 2018–2019) Bill 2018, and accompanying Estimates of Expenditure for Parliament requiring annual appropriation in the financial year 2018/2019.

Estimates ordered to be tabled.

- 14 **APPROPRIATION (PARLIAMENT 2018–2019) BILL 2018** — Ms Allan obtained leave to bring in a Bill *'for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2018/2019 and for other purposes'*; and the Bill was read a first time and under SO 87 ordered to be read a second time immediately.

Ms Allan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question proposed — That this Bill be now read a second time (*Ms Allan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 8 May 2018.

- 15 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 8 May 2018 (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Watt; Mr Wells.

Question agreed to.

- 16 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 7.00 pm on Tuesday 1 May 2018:

Justice Legislation Amendment (Access to Justice) Bill 2018
Long Service Benefits Portability Bill 2018

(*Ms Allan*) — put, after debate, and agreed to.

- 17 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 18 **LONG SERVICE BENEFITS PORTABILITY BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Richardson*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 19 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 to 4 inclusive, be postponed until later this day.

- 20 **JUSTICE LEGISLATION AMENDMENT (ACCESS TO JUSTICE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House today had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **LONG SERVICE BENEFITS PORTABILITY BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 7.06 pm under sessional orders.

- 22 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.33 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS
Nos 174, 175 and 176

No 174 — Tuesday 8 May 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **SERIOUS OFFENDERS BILL 2018** — Ms Neville obtained leave to bring in a Bill '*for an Act to provide for enhanced protection of the community by requiring offenders who have served custodial sentences for certain serious sex offences or certain serious violence offences and who present an unacceptable risk of harm to the community to be subject to ongoing detention or supervision, to repeal the Serious Sex Offenders (Detention and Supervision) Act 2009, to consequentially amend other Acts and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to refer certain matters relating to the National Redress Scheme for Institutional Child Sexual Abuse to the Parliament of the Commonwealth for the purposes of section 51 (xxvii) of the Constitution of the Commonwealth; and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Electoral Act 2002 and the Public Administration Act 2004 and for other purposes*'; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **FAIR PRESUMPTIVE RIGHTS FOR FIREFIGHTERS BILL 2018** — Motion made and question — That Mr Battin have leave to bring in a Bill '*for an Act to provide a rebuttable presumption for career firefighters and volunteer firefighters suffering from specified forms of cancer for the purpose of claiming compensation under the Workplace Injury Rehabilitation and Compensation Act 2013 and for other purposes*' — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 35

Mr Angus; Ms Asher; Mr Battin; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Wells.

NOES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire;

Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 8 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Bushland Reserve in Rye — Requesting that the Legislative Assembly calls on the Government to — (a) protect the bushland reserve located at 50 Flinders Street in Rye; (b) retain the land for public use; and (c) protect the bushland reserve from future housing subdivision, bearing 55 signatures (*Mr Dixon*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 229 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 9 **PETITION — BUSHLAND RESERVE IN RYE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 10 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

11 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 6 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Appropriation (2018–2019) Bill 2018
Appropriation (Parliament 2018–2019) Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C292
Cardinia — C230
Casey — C233
Glenelg — C82
Greater Bendigo — C221, C223
Greater Geelong — C353
Kingston — C153, C158
Latrobe — C109
Macedon Ranges — C123
Maribyrnong — C141
Melbourne — C281, C318, C333
Wangaratta — C72

Wodonga — C105

Statutory Rule under the *Road Safety Act 1986* — SR 47

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 39, 41, 47

Documents under s 16B in relation to:

Domestic Animals Act 1994 — Code of Practice for the Keeping of Racing Greyhounds

Kardinia Park Stadium Act 2016 — Event Management Declaration for Kardinia Park Events.

- 12 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 10 May 2018:

Appropriation (2018–2019) Bill 2018

Appropriation (Parliament 2018–2019) Bill 2018

Liquor and Gambling Legislation Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 14 **STATE TAXATION ACTS AMENDMENT BILL 2018** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 22 May 2018.

- 15 **APPROPRIATION (2018–2019) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 16 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.22 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 175 — Wednesday 9 May 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **JUSTICE LEGISLATION AMENDMENT (TERRORISM) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Terrorism (Community Protection) Act 2003**, the **Bail Act 1977**, the **Children, Youth and Families Act 2005**, the **Corrections Act 1986**, the **Crimes Act 1958**, the **Criminal Procedure Act 2009**, the **Sentencing Act 1991** and the **Commission for Children and Young People Act 2012** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Canterbury Road Heathmont Railway Bridge** — Requesting that the Legislative Assembly calls on the Government to replace the fence on the Canterbury Road Heathmont Railway Bridge with something stronger and safer, bearing 2 signatures (*Ms Victoria*)
- Kyneton Primary School Site** — Requesting that the Legislative Assembly calls on the Government to ensure that the Kyneton Primary School site, including the buildings on it, stays in public ownership and controlled by the Kyneton community, bearing 1643 signatures (*Mr Guy*)
- Balaclava Station Tram Stop** — Requesting that the Legislative Assembly calls on the Government to stop the Balaclava Station tram stop upgrade, bearing 73 signatures (*Mr Southwick*)
- Bike Lanes on High Street, Belmont** — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street in Belmont, bearing 324 signatures (*Mr Katos*).
- Petitions ordered to be tabled.
- 4 **PETITION — KYNETON PRIMARY SCHOOL SITE** — Motion made and question — That the petition presented by the Member for Bulleen be taken into consideration tomorrow (*Mr Guy*) — put and agreed to.
- 5 **PETITION — BALACLAVA STATION TRAM STOP** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.
- 6 **PETITION — CANTERBURY ROAD HEATHMONT RAILWAY BRIDGE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.

- 7 **PETITION — BIKE LANES ON HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:
- Confiscation Act 1997* — Report 2016–17 under s 139A
- Crimes (Assumed Identities) Act 2004* — Report 2016–17 under s 31.
- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:
- Long Service Leave Bill 2017
Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017.
- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Service Victoria Bill 2017 with amendments.
- Ordered — That the amendments be taken into consideration later this day.
- 11 **SUSPENSION OF STANDING ORDERS** — Motion made, by leave, and question — That so much of standing orders be suspended so as to allow each member to speak on the motion in relation to the 2018–19 budget papers for a maximum of 15 minutes (*Ms Allan*) — put and agreed to.
- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Law Reform, Road and Community Safety Committee's Report on the Inquiry into Drug Law Reform
- Accountability and Oversight Committee's Report on Victorian Oversight Agencies 2016–17
- Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils
- Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes
- Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates
- Electoral Matters Committee's Report on the Inquiry into electronic voting.
- 14 **SERVICE VICTORIA BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.
- After debate, the amendments were agreed to.
- Message sent to the Legislative Council informing them accordingly.

- 15 **SERIOUS OFFENDERS BILL 2018** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 May 2018.

- 16 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Pesutto*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 23 May 2018.

- 17 **APPROPRIATION (2018–2019) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 18 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 19 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 20 **APPROPRIATION (2018–2019) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 21 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — TAFE AND TRAINING INVESTMENT** — The House was informed that Mr Merlino had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes Labor's strong investment in Victoria's TAFE and training sector, and further notes:

- (1) that TAFE will be free for 30 priority courses and 18 pre-apprenticeship courses;
- (2) Labor's record investments in road and rail projects, new schools and hospitals, support for Victorians living with disability and historic action to curb family violence have all created massive demand for skilled workers; and
- (3) the former government gutted Victoria's TAFE system by closing campuses, cutting courses and sacking staff.'

Mr Merlino addressed the House — Discussion followed.

22 **APPROPRIATION (2018–2019) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Katos*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

23 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 4 be postponed until later this day.

24 **APPROPRIATION (PARLIAMENT 2018–2019) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

25 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 176 — Thursday 10 May 2018

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Yarck Township Speed Limit — Requesting that the Legislative Assembly reduces the speed limit in Yarck from 80km/h to 60km/h, bearing 167 signatures (*Ms McLeish*)

Wire Rope Barriers — Requesting that the Legislative Assembly calls on the Government to stop the rollout of wire rope barriers across Victorian roads until safety concerns are addressed and a strategic approach adopted, bearing 571 signatures (*Ms Ryan*)

Transmission Lines — Requesting that the Legislative Assembly calls on the Government to stop the rollout of transmission lines from windfarms along Victorian roads and close to towns until a strategic approach with adequate controls to mitigate the impact on the rural landscape is adopted, bearing 287 signatures (*Mr Riordan*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 142 signatures (*Ms Spence*).

Petitions ordered to be tabled.

3 **PETITION — YARCK TOWNSHIP SPEED LIMIT** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.

4 **PETITION — WIRE ROPE BARRIERS** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.

5 **PETITION — TRANSMISSION LINES** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

6 **DOCUMENTS**

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Assessing Benefits from the Regional Rail Link Project — Ordered to be published
 Maintaining the Mental Health of Child Protection Practitioners — Ordered to be published

Family Violence Reform Implementation Monitor — Report 1 November 2017 — Ordered to be published

Statutory Rules under the following Acts:

Estate Agents Act 1980 — SRs 48, 49
Wildlife Act 1975 — SR 50

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 48, 49, 50.

PRODUCTION OF DOCUMENTS UNDER SO 171 — The Acting Clerk tabled the following document in accordance with the resolution of the House on 29 March 2018:

A letter from the Attorney-General advising that as there is a substantial number of relevant documents within the scope of the Assembly's 29 March 2018 order for the production of documents, the Government requires further time to process the Assembly's order and will endeavour to provide a final response to the order as soon as possible.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 22 May 2018 (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **JUSTICE LEGISLATION AMENDMENT (TERRORISM) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 May 2018.

10 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 24 May 2018.

- 11 **LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 14 **LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **APPROPRIATION (2018–2019) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 8 May 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 16 **APPROPRIATION (PARLIAMENT 2018–2019) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **LIQUOR AND GAMBLING LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.03 pm under sessional orders.

- 18 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 177, 178 and 179

No 177 — Tuesday 22 May 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **FLORA AND FAUNA GUARANTEE BILL 2018** — Ms D'Ambrosio obtained leave to bring in a Bill *'for an Act to repeal and re-enact with amendments the **Flora and Fauna Guarantee Act 1988** and to make consequential and related amendments to certain other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **SENTENCING AMENDMENT (PROTECTING OUR PROTECTORS) BILL 2018** — Motion made and question — That Mr Pesutto have leave to bring in a Bill *'for an Act to amend the **Sentencing Act 1991** to make further provision in relation to the imposition of custodial sentences on offenders who attack paramedics, police officers, custodial officers, youth custodial workers and other emergency workers in the course of their duties and in relation to the imposition of custodial sentences on certain other offenders and for other purposes'* — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

6 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 7 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Electoral Legislation Amendment Bill 2018

Justice Legislation Amendment (Access to Justice) Bill 2018

Justice Legislation Amendment (Terrorism) Bill 2018

National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

Serious Offenders Bill 2018
State Taxation Acts Amendment Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Code of Practice for the Keeping of Racing Greyhounds (*Gazette G19, 10 May 2018*)
Statutory Rule 38 (*Gazette G19, 10 May 2018*)

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Occupational Health and Safety Act 2004 — Minister's orders approving compliance codes (two documents)

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Glen Eira — GC83
Kingston — GC83
Stonnington — C274
Victoria Planning Provisions — VC143, VC146

Statutory Rule under the *Seafood Safety Act 2003* — SR 51

Subordinate Legislation Act 1994:

Documents under s 15 in relation to — Statutory Rule 51

Documents under s 16B in relation to:

Education and Training Reform Act 2006 — Ministerial Order No 1125 — Procedures for Suspension and Expulsion of Students Government Schools

Housing Act 1983 — Director of Housing determinations under s 142E

Victorian Electoral Commission — Report on the Northcote District By-election held on 18 November 2017.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an Order of the House dated 24 February 2015:

Bail Amendment (Stage One) Act 2017 — Whole Act (except ss 11 and 14(10)) — 21 May 2018 (*Gazette S218, 15 May 2018*)

Bail Amendment (Stage Two) Act 2018 — Remaining provisions — 1 July 2018 (*Gazette S218, 15 May 2018*)

Crimes Legislation Amendment (Protection of Emergency Workers and Others) Act 2017 — Sections 21 and 22 — 21 May 2018 (*Gazette S218, 15 May 2018*)

Firearms Amendment Act 2018 — Remaining provisions — 9 May 2018 (*Gazette S209, 8 May 2018*)

Gambling Legislation Amendment Act 2018 — Sections 6 to 9, 11 and 18 — 9 May 2018 (*Gazette S209, 8 May 2018*).

- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 8 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Primary Industries Legislation Amendment Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 9 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 15 May 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Long Service Leave Bill 2017

Major Events Legislation Amendment (Ticket Scalping and Other Matters) Bill 2017

Service Victoria Bill 2017.

- 10 **MESSAGES FROM THE LIEUTENANT-GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Electoral Legislation Amendment Bill 2018

Justice Legislation Amendment (Terrorism) Bill 2018

National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

Serious Offenders Bill 2018.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 24 May 2018:

Electoral Legislation Amendment Bill 2018

National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018

Serious Offenders Bill 2018

State Taxation Acts Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 13 **BUDGET PAPERS** — Motion made and question proposed — That this House takes note of the 2018–19 budget papers (*Mr Scott*) — and, after debate —
- Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 14 **STATE TAXATION ACTS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Katos*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017 without amendment.
- 16 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2018–19 budget papers; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 17 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 178 — Wednesday 23 May 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **LOCAL GOVERNMENT BILL 2018** — Ms Kairouz obtained leave to bring in a Bill *'for an Act to reform the law relating to local government in Victoria, to repeal the **City of Greater Geelong Act 1993**, to amend the **City of Melbourne Act 2001**, the **Local Government Act 1989** and the **Victoria Grants Commission Act 1976**, and to consequentially amend certain other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2018** — Ms D'Ambrosio obtained leave to bring in a Bill *'for an Act to amend the **Flora and Fauna Guarantee Act 1988** to promote Victoria's biodiversity by establishing objectives and principles of the Act, imposing additional obligations to consider biodiversity in decision-making, improving transparency and accountability and making various other amendments to strengthen the Act and to make consequential amendments to other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:

Results of 2017 Audits: Technical and Further Education Institutes — Ordered to be published
 Results of 2017 Audits: Universities — Ordered to be published

Gambling Regulation Act 2003 — Amendments of Public Lottery Licence under s 5.3.19 (two documents)

Ombudsman — Good Practice Guide to Dealing with Challenging Behaviour — Report and Guide — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Banyule — C118, C150
 Bayside — C157
 Brimbank — GC93
 Darebin — C180
 Hobsons Bay — GC93
 Maribyrnong — GC93
 Melbourne — C306, GC93
 Moonee Valley — C177
 Moreland — C170
 Port of Melbourne — GC93
 Wyndham — GC93.

5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Amendment (Access to Justice) Bill 2018 without amendment.

6 **ORDER OF THE DAY DISCHARGED** — Motion made, by leave, and question — That the following Order of the Day, Government Business, be read and discharged:

Flora and Fauna Guarantee Bill 2018 — *Second reading*

and that the Bill be withdrawn (*Ms Allan*) — put, after debate, and agreed to.

7 **STATEMENTS BY MEMBERS** — Statements by members were made.

8 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Accountability and Oversight Committee's Report on the Victorian Oversight Agencies 2016–17

Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land.

- 9 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question proposed — That the amendments be agreed to (*Mr Scott*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 12 **OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT BILL 2017** — Resumption on question — That the amendments be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 13 **SERIOUS OFFENDERS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Clark announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 14 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — LABOR COMMUNITY ACTION NETWORK** — The House was informed that Mr Smith (*Kew*) had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Andrews Labor government for rorting at least \$400,000 from the taxpayer as part of its Red Shirts Community Action Network at the 2014 election and noting that:

- (1) it is not declaring whether the 2018 election Labor Community Action Network will be funded in exactly the same or a similar way;
- (2) it is refusing to apologise for rorting taxpayers' money;
- (3) it paid back the rorted monies only the day before the Ombudsman's report was made public;
- (4) it spent over \$1 million of taxpayers' money to keep the issue covered up and fighting the Ombudsman in the courts;
- (5) given the Assembly's assertion of exclusive cognisance in relation to the Ombudsman's investigation, the full extent of Assembly ministers' involvement in the matter has not been ascertained; and
- (6) it refuses to come clean on exactly how much money has been rorted from the taxpayer.'

Mr Smith (*Kew*) addressed the House — Discussion followed.

- 15 **SERIOUS OFFENDERS BILL 2018** — Debate resumed on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 16 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 17 **SERIOUS OFFENDERS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 18 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 179 — Thursday 24 May 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:
- Gambling Regulation Act 2003* — Amendment of Public Lottery Licence under s 5.3.19
- Statutory Rules under the following Acts:
- Bail Act 1977* — SR 52
Children, Youth and Families Act 2005 — SR 53
Corporations (Ancillary Provisions) Act 2001 — SR 56
Heritage Act 2017 — SR 54
Supreme Court Act 1986 — SRs 56, 57, 58
Transport (Compliance and Miscellaneous) Act 1983 — SR 55
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rules 55, 56, 57, 58.
- 3 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 5 June 2018 (*Ms Allan*) — put and agreed to.
- 4 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 5 **LOCAL GOVERNMENT BILL 2018** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 7 June 2018.

- 6 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2018** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 7 June 2018.

- 7 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 10 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 11 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 22 May 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

12 **SERIOUS OFFENDERS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

13 **STATE TAXATION ACTS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

14 **NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (COMMONWEALTH POWERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.01 pm under sessional orders.

15 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 180, 181 and 182

No 180 — Tuesday 5 June 2018

1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.

2 **DEATH OF DAVID LEWIS TREASURE** — The Speaker announced the death of David Lewis Treasure, Member of the Legislative Assembly for the Electoral District of Gippsland East from 1992 to 1999; and members rose in their places as a mark of respect to the memory of the deceased.

3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

5 **JUSTICE LEGISLATION AMENDMENT (FAMILY VIOLENCE PROTECTION AND OTHER MATTERS) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Children, Youth and Families Act 2005, the Coroners Act 2008, the County Court Act 1958, the Criminal Procedure Act 2009, the Family Violence Protection Act 2008, the Magistrates' Court Act 1989, the Personal Safety Intervention Orders Act 2010, the Supreme Court Act 1986 and the Victorian Civil and Administrative Tribunal Act 1998, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

6 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR REDUNDANCIES AND OTHER MATTERS) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Public Administration Act 2004 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

7 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Wire Rope Barriers — Requesting that the Legislative Assembly calls on the Government to stop the rollout of wire rope barriers across Victorian roads until safety concerns are addressed and a strategic approach adopted, bearing 473 signatures (*Mr Bull, Gippsland East*).

Ordered to be tabled.

8 **PETITION — WIRE ROPE BARRIERS** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.

9 **DOCUMENTS**

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 8 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Advancing the Treaty Process with Aboriginal Victorians Bill 2018
Crimes Amendment (Unlicensed Drivers) Bill 2018
Electoral Legislation Amendment Bill 2018

Flora and Fauna Guarantee Amendment Bill 2018
 Justice Legislation Amendment (Terrorism) Bill 2018
 Local Government Bill 2018
 Long Service Benefits Portability Bill 2018
 National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018
 Serious Offenders Bill 2018
 SR No 3 — Corrections Amendment (Remotely Piloted Aircraft and Helicopter Ban) Regulations 2018
 SR No 4 — Serious Sex Offenders (Detention and Supervision) Amendment (Remotely Piloted Aircraft and Helicopter Ban) Regulations 2018
 SR No 5 — Children, Youth and Families Amendment (Remotely Piloted Aircraft and Helicopter Ban) Regulations 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Alpine — C54
 Benalla — GC66
 Boroondara — C267
 East Gippsland — C144
 Hobsons Bay — C107
 Knox — C149
 Latrobe — C106 Part 1
 Mansfield — C36
 Melbourne — C324
 Monash — C137
 Mornington Peninsula — C200, C209
 Port Phillip — C143
 South Gippsland — GC66
 Southern Grampians — GC66
 Whitehorse — C197
 Whittlesea — C218, C220
 Wodonga — GC66

Statutory Rules under the following Acts:

Aboriginal Heritage Act 2006 — SR 59
Conveyancers Act 2006 — SRs 60, 61, 62, 63
Second-Hand Dealers and Pawnbrokers Act 1989 — SR 64
Subordinate Legislation Act 1994 — SR 65

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 52, 53, 54, 60, 61, 62, 63, 64, 65

Victorian Electoral Commission — Report on the Greater Geelong City Council General Election 2017

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Amendment and Revocation Notice (*Gazette S244, 25 May 2018*).

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Commercial Passenger Vehicle Industry Amendment (Further Reforms) Act 2017 — Part 1 and s 6(1) — 2 June 2018; Remaining provisions — 2 July 2018 (*Gazette S248, 29 May 2018*)

Major Events Legislation Amendment (Ticket Scalping and Other Matters) Act 2018 — Whole Act — 1 June 2018 (*Gazette S248, 29 May 2018*).

- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Legal Identity of Defendants (Organisational Child Abuse) Bill 2018
Parks Victoria Bill 2018.

- 11 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that he had, on 29 May 2018, given the royal assent to the following bills, presented to him by the Acting Clerk of the Parliaments:

Justice Legislation Amendment (Access to Justice) Bill 2018
Offshore Petroleum and Greenhouse Gas Storage Amendment Bill 2017
Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017.

- 12 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, today, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Legal Identity of Defendants (Organisational Child Abuse) Bill 2018
Parks Victoria Bill 2018.

- 13 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Flora and Fauna Guarantee Amendment Bill 2018
Local Government Bill 2018.

- 14 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 7 June 2018:

Advancing the Treaty Process with Aboriginal Victorians Bill 2018
Education Legislation Amendment (Victorian Institute of Teaching, TAFE and Other Matters) Bill 2018
Justice Legislation Amendment (Terrorism) Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 41

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

15 **STATEMENTS BY MEMBERS** — Statements by members were made.

16 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2018–19 budget papers; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Thompson, Sandringham*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

17 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 2 be postponed until later this day.

18 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Ms Thorpe announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 181 — Wednesday 6 June 2018

1 The Speaker took the Chair and read the Prayer.

2 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2018** — Mr Scott obtained leave to bring in a Bill 'for an Act to amend the *Transport Accident Act 1986*, the *Occupational Health and Safety Act 2004*, the *Dangerous Goods Act 1985*, the *Equipment (Public Safety) Act 1994*, the *Workplace Injury Rehabilitation and Compensation Act 2013*, the *Accident Compensation Act 1985* and the *Emergency Services Superannuation Act 1986* to further improve the operation of those Acts and for other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Bushland Reserve in Rye — Requesting that the Legislative Assembly calls on the Government to — (a) protect the bushland reserve located at 50 Flinders Street, Rye; (b) retain the land for public use; and (c) protect the bushland reserve from future housing subdivision, bearing 66 signatures (*Mr Dixon*)

Mornington Peninsula Public Transport Review — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 78 signatures (*Mr Dixon*).

Petitions ordered to be tabled.

- 4 **PETITION — BUSHLAND RESERVE IN RYE** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 5 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

6 **DOCUMENTS**

ABSOLUTELY EVERYONE: STATE DISABILITY PLAN — Report 2017 tabled by leave (*Mr Foley*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Annual Plan 2018–19

Community Health Program — Ordered to be published

Victorian Environmental Assessment Council Act 2001 — Notice of request for an assessment under s 26C.

- 7 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Liquor and Gambling Legislation Amendment Bill 2018
State Taxation Acts Amendment Bill 2018.

- 8 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 9 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils

Public Accounts and Estimates Committee's Report on the 2016–17 Budget Estimates

Accountability and Oversight Committee's Report on the Victorian Oversight Agencies 2016–17.

- 10 **JUSTICE LEGISLATION AMENDMENT (FAMILY VIOLENCE PROTECTION AND OTHER MATTERS) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Mr Pakula made the statement of intention required by s 85(5)(c) of the Constitution Act 1975.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 June 2018.

- 11 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR REDUNDANCIES AND OTHER MATTERS) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 20 June 2018.

- 12 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 13 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 14 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 15 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 16 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 17 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Debate resumed on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Foley*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **EDUCATION LEGISLATION AMENDMENT (VICTORIAN INSTITUTE OF TEACHING, TAFE AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Kealy*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 19 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.
- Ms Hutchins announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.
- Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day
- 20 **JUSTICE LEGISLATION AMENDMENT (TERRORISM) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.
- Ms Hutchins announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.
- Debate resumed on question — That this Bill be now read a second time.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 21 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.22 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 182 — Thursday 7 June 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Victoria's Planning Laws** — Requesting that the Legislative Assembly calls on the Government to halt the densification of local suburbs and properly consult residents about the impact of changes to Victoria's planning laws, bearing 31 signatures (*Mr Hodggett*)
- Mooroolbark Police Station** — Requesting that the Legislative Assembly calls on the Government to keep Mooroolbark Police Station open 24 hours a day, bearing 180 signatures (*Mr Hodggett*)
- AGL Floating Gas Terminal, Crib Point** — Requesting that the Legislative Assembly calls on the Government to reject AGL's proposal to transport liquid natural gas to a Floating Storage Regasification Unit moored to Crib Point jetty on Westernport Bay, bearing 1295 signatures (*Mr Burgess*).

Petitions ordered to be tabled.

3 **PETITION — VICTORIA'S PLANNING LAWS** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodggett*) — put and agreed to.

4 **PETITION — MOOROOLBARK POLICE STATION** — Motion made and question — That the petition presented by the Member for Croydon be taken into consideration tomorrow (*Mr Hodggett*) — put and agreed to.

5 **PETITION — AGL FLOATING GAS TERMINAL, CRIB POINT** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

6 **DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with an Act of Parliament:

Statutory Rules under the following Acts:

Borrowing and Investment Powers Act 1987 — SR 69

Children, Youth and Families Act 2005 — SR 70

Criminal Procedure Act 2009 — SR 70

Impounding of Livestock Act 1994 — SR 66

Subordinate Legislation Act 1994 — SR 67

Transfer of Land Act 1958 — SR 68

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 66, 67, 68, 70.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 19 June 2018 (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2018** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 21 June 2018.

10 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2018–19 budget papers; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 13 **BUDGET PAPERS** — Debate continued on question — That this House takes note of the 2018–19 budget papers.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **JUSTICE LEGISLATION AMENDMENT (TERRORISM) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018 without amendment.

- 16 **ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see pp 851–857*).

Allocation of time — *The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 June 2018 had expired.*

Question — That Ms Hutchins' amendment Nos 26 and 27 be agreed to — put and agreed to.

Question — That clause 21 as amended stands part of the Bill — put and agreed to.

Question — That clauses 22 to 43 inclusive and the Preamble stand part of the Bill, Government amendment Nos 28 to 39 inclusive and 41 be agreed to, the Bill be agreed to as amended, and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **EDUCATION LEGISLATION AMENDMENT (VICTORIAN INSTITUTE OF TEACHING, TAFE AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **JUSTICE LEGISLATION AMENDMENT (TERRORISM) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 5 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 180, 181 and 182

No 182 — Thursday 7 June 2018

ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018

Clause 1, *the Deputy Speaker advised that if the words proposed to be omitted by Ms Hutchins' amendment No 1 are not omitted Ms Hutchins' amendment Nos 2, 4, 5, 7 to 18, 21 to 23, 25 to 30, 34, 35 and 37 to 39 and Ms Thorpe's amendment Nos 1, 2, 4, 6, 8 to 19, 22, 23, 25 to 27, 31 to 34, 36, 37, 39, 41 to 43, and 45 to 49 cannot be moved as they are consequential.*

Ms Hutchins moved amendment No 1 (*see Schedule*).

Question — That the words proposed to be omitted stand part of the clause — put and defeated.

Question — That the words proposed in Ms Hutchins' amendment No 1 be inserted in the clause — put and agreed to.

Ms Hutchins moved amendment No 2 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 2 agreed to.

By leave, Ms Hutchins' new clause AA and Ms Thorpe's new clauses A and E were considered before clause 3.

New clause AA, Ms Hutchins moved new clause AA (*see Schedule*).

New clause agreed to.

New clause A, Ms Thorpe moved new clause A (*see Schedule*).

Question — That new clause A be agreed to and added to the Bill — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 3

Mr Hibbins; Ms Sandell; Ms Thorpe.

NOES 79

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Suleyman;

Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

Question defeated.

The Deputy Speaker advised that, as Ms Thorpe's new clause A had been defeated, amendment Nos 3, 7, 20, 21 and 24 could not be moved as they were consequential.

New clause E, Ms Thorpe moved new clause E (*see Schedule*).

New clause E put and defeated.

The Deputy Speaker advised that, as new clause E had been defeated, amendment Nos 29 and 35 could not be moved as they were consequential.

Clause 3, Ms Hutchins moved amendment Nos 3 to 7 inclusive (*see Schedule*).

Amendments put and agreed to.

Ms Thorpe moved amendment No 5 (*see Schedule*).

Question — That the amendment be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 3

Mr Hibbins; Ms Sandell; Ms Thorpe.

NOES 78

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

Question defeated.

Clause agreed to as amended.

Clause 4, Ms Hutchins moved amendment Nos 8 and 9 (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clause 5 agreed to.

Clause 6, Ms Hutchins moved amendment No 10 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 7 agreed to.

Clause 8, Ms Hutchins moved amendment Nos 11 and 12 (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clause 9, Ms Hutchins moved amendment Nos 13 to 16 inclusive (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clauses 10 and 11 agreed to.

Clause 12, Ms Hutchins moved amendment Nos 17 and 18 (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clause 13 agreed to.

Clause 14, Ms Hutchins moved amendment No 19 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 15, Ms Hutchins moved amendment No 20 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 16, Ms Hutchins moved amendment Nos 21 to 23 inclusive (*see Schedule*).

Amendments put and agreed to.

Clause agreed to as amended.

Clause 17, Ms Hutchins moved amendment No 24 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 18 agreed to.

Clause 19, Ms Hutchins moved amendment No 25 (*see Schedule*).

Amendment put and agreed to.

Clause agreed to as amended.

Clause 20 agreed to.

Clause 21, Ms Hutchins moved amendment Nos 26 and 27 (*see Schedule*).

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 5 June 2018 had expired (for remaining stages see p 849).

SCHEDULE OF AMENDMENTS MOVED

ADVANCING THE TREATY PROCESS WITH ABORIGINAL VICTORIANS BILL 2018

Amendments moved by Ms Hutchins

1. Clause 1, line 5, omit "Aboriginal Victorians" and insert "traditional owners and Aboriginal Victorians,".
2. Clause 1, line 9, after "of" insert "traditional owners and".
3. Clause 3, line 27, omit "10" and insert "11".
4. Clause 3, page 5, line 6, after "with" insert "traditional owners and".
5. Clause 3, page 5, line 11, after "to" insert "traditional owners and".
6. Clause 3, page 5, line 27 omit "17" and insert "18".
7. Clause 3, page 5, after line 27 insert—

"traditional owner, in relation to an area in Victoria, has the same meaning as in **Aboriginal Heritage Act 2006**;"

8. Clause 4, line 12, after "of" insert "traditional owners or".
9. Clause 4, line 17, after "of" insert "traditional owners or".
10. Clause 6, line 4, after "representation of" insert "traditional owners and".
11. Clause 8, line 4, after "of" insert "traditional owners and".
12. Clause 8, line 9, after "of" insert "traditional owners and".
13. Clause 9, line 12, after "of" insert "traditional owners and".
14. Clause 9, line 19, after "of" insert "traditional owners and".
15. Clause 9, line 21, after "with" insert "traditional owners and".
16. Clause 9, after line 21 insert—

"() All elected members (however described) other than employees of the Aboriginal Representative Body must be traditional owners."

17. Clause 12, line 23, after "with" insert "traditional owners and".
18. Clause 12, line 29, after "supporting" insert "traditional owners and".

19. Clause 14, line 29, omit "13(1)(c)" and insert "14(1)(c)".
20. Clause 15, line 4, omit "13(1)(b)" and insert "14(1)(b)".
21. Clause 16, page 13, line 4, after "with" insert "traditional owners and".
22. Clause 16, page 13, line 9, after "all" insert "traditional owners and".
23. Clause 16, page 13, line 21, after "support" insert "traditional owners and".
24. Clause 17, line 32, omit "16" and insert "17".
25. Clause 19, line 10, after "different" insert "traditional owners and".
26. Clause 21, line 2, omit "Aboriginal" insert "Traditional owners and Aboriginal".
27. Clause 21, line 4, omit "Aboriginal" insert "Traditional owners and Aboriginal".

NEW CLAUSE

40. Insert the following New Clause to follow clause 3—

"AA Appointment of Victorian Treaty Advancement Commissioner

The Minister must not recommend a person for appointment as Victorian Treaty Advancement Commissioner unless the person is an Aboriginal Victorian."

Amendments moved by Ms Thorpe

5. Clause 3, page 5, after line 14 insert—

"Clan means—

- (a) an Aboriginal Traditional Owner Group or Aboriginal extended family group that has—
 - (i) a traditional connection to a specific territory of land that is wholly or partly in the area now known as Victoria; and
 - (ii) shared Ancestors and Descendants, Aboriginal language, cultural heritage, beliefs, spirituality, traditions or customary law; or
- (b) an Aboriginal Traditional Owner Group or Aboriginal extended family group listed as a Clan in Schedule 1;

Clan Elders Council means a body that—

- (a) consists of a gathering of Elders from Clans and First Nations that choose to participate and for which each participating Clan and First Nation self-determines its representatives; and
- (b) exists for the purpose of providing advice and advocacy on advancing the treaty process;".

NEW CLAUSES

38. Insert the following New Clause to follow clause 3—

"A Act does not affect sovereignty

A treaty between the State and a Clan or a First Nation is not an act of cession by the Clan or the Clans the First Nation represents and does not diminish or displace the sovereign status Clans assert."

40. Insert the following New Clause to follow clause 20—

"E United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP)

All processes engaged in or undertaken pursuant to this Act must ensure the treaty process proceeds in accordance with the Articles of the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly of the United Nations on 13 September 2007 (resolution 61/295)."

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 183, 184 and 185

No 183 — Tuesday 19 June 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF EURYDICE DIXON** — By leave, members made statements in relation to the late Eurydice Dixon. Members stood in silence to express their sympathy and respect.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 5 **VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018** — Mr Carroll obtained leave to bring in a Bill '*for an Act to amend the Victorian Industry Participation Policy Act 2003 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — Ms D'Ambrosio obtained leave to bring in a Bill '*for an Act to reform the legislative framework for the protection of human health and the environment from pollution and waste, to amend the Environment Protection Act 2017, to repeal the Environment Protection Act 1970, to amend the Mineral Resources (Sustainable Development) Act 1990 and to make consequential amendments to other Acts*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the Racing Act 1958 to establish a Victorian Racing Integrity Board, to establish the Victorian Racing Tribunal for all codes of racing, to provide for greater transparency and enhanced integrity in the control of racing industries, to consequentially amend the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to establish the Family Violence Prevention Agency and the Board of the Family Violence Prevention Agency and to appoint the chief executive officer and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 9 **DOCUMENTS**
ENVIRONMENT, NATURAL RESOURCES AND REGIONAL DEVELOPMENT COMMITTEE — Mr Bull (*Sunbury*), Chair, presented a report from the Environment, Natural Resources and Regional Development Committee on the Inquiry into the management, governance and use of environmental water, together with an appendix and transcripts of evidence.

Ordered to be tabled and the report and appendix published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 9 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Crimes Amendment (Unlicensed Drivers) Bill 2018
 Flora and Fauna Guarantee Amendment Bill 2018
 Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018
 Local Government Bill 2018
 Public Administration Amendment (Public Sector Redundancies and Other Matters) Bill 2018
 Treasury and Finance Legislation Amendment Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2018 under s 303

Gambling Regulation Act 2003 — Amendment of the Public Lottery Licence under s 5.3.19

Ombudsman — Investigation into the administration of the Fairness Fund for taxi and hire car licence holders — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — C210
 Boroondara — C278
 Cardinia — C239
 Darebin — C166
 Golden Plains — C77, C79
 Greater Geelong — C349
 Greater Shepparton — C192, C193 Part 1, C197, C203
 Hepburn — C63
 Kingston — C152
 Latrobe — C110
 Melton — C194
 Moonee Valley — C182
 Moorabool — C78
 Stonnington — C249, C266
 Whitehorse — C193

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR 72
Occupational Health and Safety Act 2004 — SR 71

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 59, 69, 71, 72
 Documents under s 16B in relation to the *Associations Incorporation Reform Act 2012* — Reporting Exemption Order for Incorporated Associations 2018

Victorian Law Reform Commission — Access to Justice — Litigation Funding and Group Proceedings — Ordered to be published.

10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Appropriation (Parliament 2018–2019) Bill 2018 without amendment.

11 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Marine and Coastal Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Serious Offenders Bill 2018 with amendments.

Ordered — That the amendments be taken into consideration later this day.

13 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 13 June 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Legislative Assembly for and in the absence of the Acting Clerk of the Parliaments:

Liquor and Gambling Legislation Amendment Bill 2018
National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Bill 2018
State Taxation Acts Amendment Bill 2018.

14 **APPROPRIATION (PARLIAMENT 2018–2019) BILL 2018** — The Speaker announced that, today, he had presented to the Governor, the Appropriation (Parliament 2018–2019) Bill 2018 to which the Governor gave the royal assent.

15 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 21 June 2018:

Flora and Fauna Guarantee Amendment Bill 2018
Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018
Local Government Bill 2018
Public Administration Amendment (Public Sector Redundancies and Other Matters) Bill 2018
Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2017

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris;

Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

16 **STATEMENTS BY MEMBERS** — Statements by members were made.

17 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

18 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 2 and 3, be postponed until later this day.

19 **LOCAL GOVERNMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 7.00 pm under sessional orders.

20 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 184 — Wednesday 20 June 2018

1 The Speaker took the Chair and read the Prayer.

2 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to make miscellaneous amendments to justice legislation and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

3 **JUSTICE LEGISLATION (POLICE AND OTHER MATTERS) BILL 2018** — Mr Pakula, on behalf of Ms Neville, obtained leave to bring in a Bill '*for an Act to amend the **Bail Act 1977**, the **Confiscation Act 1997**, the **Corrections Act 1986**, the **Crimes Act 1958**, the **Crimes Legislation Amendment (Protection of Emergency Workers and Others) Act 2017**, the **Drugs, Poisons and Controlled Substances Act 1981**, the **Firearms Act 1996**, the **Magistrates' Court Act 1989**, the **Protected Disclosure Act 2012**, the **Second-Hand Dealers and Pawnbrokers Act 1989**, the **Sentencing Act 1991**, the **Sex Offenders Registration Act 2004**, the **Sex Offenders Registration Amendment (Miscellaneous) Act 2017**, the **Surveillance Devices Act 1999**, the **Victoria Police Act 2013** and for*

other purposes'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

- 4 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Mornington Peninsula Public Transport Review — Requesting that the Legislative Assembly calls on the Government to request a service review to identify, fund and resolve shortfalls to enable public transport on the Mornington Peninsula to align with Public Transport Victoria's minimum service level, bearing 15 signatures (*Mr Dixon*)

Bike Lanes on High Street, Belmont — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street in Belmont bearing 55 signatures (*Mr Katos*)

Bellbrae Primary School Upgrade — Requesting that the Legislative Assembly calls on the Government to support the upgrade and modernisation of Bellbrae Primary School, bearing 717 signatures (*Mr Katos*)

Removal of Unused Power Line Easement — Requesting that the Legislative Assembly calls on the Government to remove the unused power line easement in Grovedale, Marshall, Highton and Wandana Heights, bearing 452 signatures (*Mr Katos*).

Petitions ordered to be tabled.

- 5 **PETITION — BIKE LANES ON HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

- 6 **PETITION — BELLBRAE PRIMARY SCHOOL UPGRADE** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

- 7 **PETITION — REMOVAL OF UNUSED POWER LINE EASEMENT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

- 8 **PETITION — MORNINGTON PENINSULA PUBLIC TRANSPORT REVIEW** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

- 9 **DOCUMENTS**

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE — Mr Edbrooke, Chair, presented a report from the Family and Community Development Committee on the Inquiry into perinatal services, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with an Act of Parliament:

Auditor-General:

Follow Up of Selected 2012–13 and 2013–14 Performance Audits — Ordered to be published

The Victorian Government ICT Dashboard — Ordered to be published.

- 10 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Labour Hire Licensing Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 11 **PRIVATISATION OF THE ABC** — Motion made, by leave, and question proposed — That this House will never support the privatisation of the ABC and demands the Turnbull Liberal Government reverse its latest damaging \$83 million cut to the ABC, which will hit children's programming and Victorian regional radio and television services the hardest (*Ms Allan*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

- 12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 14 **PRIVATISATION OF THE ABC** — Debate continued on question — That the motion be agreed to.

Motion made and question — That the debate be now adjourned (*Mr Edbrooke*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That debate be adjourned until later this day.

- 15 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 16 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Report:

Family and Community Development Committee's Report on the Inquiry into perinatal services.

Business having been interrupted at 2.00 pm under sessional orders.

- 17 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — INVESTMENT IN INFRASTRUCTURE** — The House was informed that Mr Donnellan had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes Labor's record investments in infrastructure including:

- (1) the North-East Link which will create 10,300 jobs during construction, and take 15,000 trucks off local roads;
- (2) the Metro Tunnel which will create 7,000 jobs, cut travel times by up to 50 minutes, and create space for an additional 39,000 passengers in the morning peak;
- (3) the West Gate Tunnel which will provide a vital second river crossing, create more than 6,000 jobs, ease congestion on the West Gate Bridge and allow a 24-hour truck ban in the inner west;
- (4) the Level Crossing Removal Project which will get rid of 50 dangerous and congested level crossings, get Victorians home safer and sooner and create thousands of jobs across Victoria;
- (5) the Regional Rail Revival which will upgrade every regional rail line across Victoria, create more than 1,000 jobs during construction, deliver extra train services, support local economies and improve the reliability of the regional public transport network;
- (6) the Suburban Roads Upgrade which will create 4,200 jobs during construction, and upgrade 22 roads locals rely on every day across the northern, western and south eastern suburbs;
- (7) the Mernda Rail Extension which will build eight kilometres of new, duplicated track, deliver three new stations, create up to 3,000 jobs and cater to around 8,000 passengers every day; and
- (8) further notes that the Liberal party is more focused on itself than supporting the infrastructure projects that Victoria needs.'

Mr Donnellan addressed the House — Discussion followed.

- 18 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the management, governance and use of environmental water

Environment, Natural Resources and Regional Development Committee's Report on the Inquiry into the control of invasive animals on Crown land

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the CFA Training College at Fiskville

Family and Community Development Committee's Report on the Inquiry into perinatal services.

- 19 **VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018** — *Mr Carroll tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Carroll*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 July 2018.

- 20 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — *Ms D'Ambrosio tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms D'Ambrosio*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 July 2018.

- 21 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 July 2018.

- 22 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 4 July 2018.

- 23 **MARINE AND COASTAL BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the amendments be agreed to (*Ms D'Ambrosio*) — and, after debate —

Question — That amendment No 1 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That amendment No 2 be agreed to — put and agreed to.

Question — That amendment Nos 3 and 4 be agreed to — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That amendment Nos 5 and 6 be agreed to — put and agreed to.

Message sent to the Legislative Council informing them accordingly.

- 24 **LABOUR HIRE LICENSING BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 25 **JUSTICE LEGISLATION AMENDMENT (FAMILY VIOLENCE PROTECTION AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 26 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.21 pm.

No 185 — Thursday 21 June 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Glen Eira Council Structure Plan — Requesting that the Legislative Assembly calls on the Government to defer approval of the proposed Glen Eira Council Structure Plan 2018–31, until strategic work has been undertaken and plans reflect and include community consultation, bearing 1363 signatures (*Mr Southwick*).

Ordered to be tabled.

- 3 **PETITION — GLEN EIRA COUNCIL STRUCTURE PLAN** — Motion made and question — That the petition presented by the Member for Caulfield be taken into consideration tomorrow (*Mr Southwick*) — put and agreed to.

4 **DOCUMENT TABLED BY COMMAND OF THE GOVERNOR**

Mr Pakula presented by Command of the Governor:

Children's Court of Victoria — Report 2016–17.

Ordered to be tabled.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Members of Parliament (Register of Interests) Act 1978 — Summary of Variations notified between 28 March and 18 June 2018 — Ordered to be published

Multicultural Victoria Act 2011 — Victorian Government Report in Multicultural Affairs 2016–17

Statutory Rules under the following Acts:

Building Act 1993 — SR 75

Disability Act 2006 — SR 74

Planning and Environment Act 1987 — SR 76

Subordinate Legislation Act 1994 — SR 73

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 73, 76.

- 5 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 6 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 5 July 2018.

- 7 **JUSTICE LEGISLATION (POLICE AND OTHER MATTERS) BILL 2018** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Smith, Warrandyte*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 5 July 2018.

- 8 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR REDUNDANCIES AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 9 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 10 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 11 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR REDUNDANCIES AND OTHER MATTERS) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 12 **LOCAL GOVERNMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Pearson*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That the government business program agreed to by this House on 19 June 2018 be amended by omitting the Order of the Day, Government Business, relating to the Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Bill 2017 (*Ms Allan*) — after debate, put and agreed to.

- 14 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 24 July 2018 (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott;

Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Walsh; Mr Watt.

Question agreed to.

- 15 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered — That the consideration of Government Business, Orders of the Day, Nos 5 to 9 inclusive, be postponed until later this day.

- 16 **SERIOUS OFFENDERS BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 17 **LOCAL GOVERNMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms D'Ambrosio*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 18 **JUSTICE LEGISLATION AMENDMENT (FAMILY VIOLENCE PROTECTION AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 19 June 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 19 **FLORA AND FAUNA GUARANTEE AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 20 **PUBLIC ADMINISTRATION AMENDMENT (PUBLIC SECTOR REDUNDANCIES AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 21 **LOCAL GOVERNMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 5 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.03 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.29 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 186, 187 and 188

No 186 — Tuesday 24 July 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF BERNARD PHILLIP DUNN, OAM** — The Speaker announced the death of Bernard Phillip Dunn, OAM, Member of the Legislative Council for the Electoral Province of North Western from 1969 to 1988; and members rose in their places as a mark of respect to the memory of the deceased.
- 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 5 **CORRECTIONS AMENDMENT (PAROLE) BILL 2018** — Ms Neville obtained leave to bring in a Bill *'for an Act to amend the **Corrections Act 1986** and for other purposes'*; and the Bill was read a first time and, under SO 61(2), ordered to be read a second time immediately.
- 6 **CORRECTIONS AMENDMENT (PAROLE) BILL 2018** — *Ms Neville tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Neville*).

The second reading speech was incorporated into Hansard.

Ms Neville made the statement explaining the exceptional circumstances that justify the inclusion of the override declaration required by s 31 of the Charter of Human Rights and Responsibilities Act 2006.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until tomorrow.
- 7 **VICTIMS AND OTHER LEGISLATION AMENDMENT BILL 2018** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the **Victims' Charter Act 2006**, the **Victims of Crime Commissioner Act 2015** and the **Sentencing Act 1991** to further provide for the rights of victims and the obligations of investigatory agencies, prosecuting agencies and victims' services agencies in proceedings for criminal offences, and to amend the **Jury Directions Act 2015** in relation to directions on the language and cognitive skills of child witnesses, and to amend the **Children, Youth and Families Act 2005** in relation to historical care and protection orders, and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **JUSTICE LEGISLATION AMENDMENT (UNLAWFUL ASSOCIATION AND CRIMINAL APPEALS) BILL 2018** — Mr Pakula obtained leave to bring in a Bill *'for an Act to amend the **Criminal Organisations Control Act 2012** to make further provision in relation to the prohibition of individuals associating with individuals convicted of serious criminal offences for the purpose of preventing the commission of offences and to provide for IBAC oversight in relation to the issue of unlawful association notices by police officers and to amend the **Children, Youth and Families Act 2005** and the **Criminal Procedure Act 2009** in relation to criminal appeals and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.

- 9 **DISABILITY SERVICE SAFEGUARDS BILL 2018** — Mr Foley obtained leave to bring in a Bill '*for an Act to provide a regulatory scheme for disability workers and disability students, to amend the Residential Tenancies Act 1997 to provide for the rights and duties of SDA residents and SDA providers consistent with the National Disability Insurance Scheme, to make consequential amendments to the Disability Act 2006, the Health Complaints Act 2016, the Land Tax Act 2005, the Ombudsman Act 1973, the Public Administration Act 2004, the Supported Residential Services (Private Proprietors) Act 2010 and the Victorian Civil and Administrative Tribunal Act 1998 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 10 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2018** — Ms Hutchins obtained leave to bring in a Bill '*for an Act to amend the Owner Drivers and Forestry Contractors Act 2005 and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 11 **ALCOA (PORTLAND ALUMINIUM SMELTER) (FREEDOM OF INFORMATION) AMENDMENT BILL 2018** — Motion made and question — That Ms Sandell have leave to bring in a Bill '*for an Act to amend the Alcoa (Portland Aluminium Smelter) (Amendment) Act 1984 in relation to freedom of information in respect of the smelter and the smelter site at Port Henry, and for other purposes*' — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 3

Ms Sandell; Ms Sheed; Ms Thorpe.

NOES 78

Ms Allan; Mr Andrews; Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

Question defeated.

12 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Annual Review 2017, Regulations and Legislative Instruments together with appendices tabled by leave (*Mr Bull, Sunbury*).

Ordered to be published.

PENALTY RATES AND FAIR PAY SELECT COMMITTEE — Ms Williams, Chair, presented the Final Report from the Penalty Rates and Fair Pay Select Committee, together with appendices, extract of proceedings, minority reports and transcripts of evidence.

Ordered to be tabled and the report, appendices, extract of proceedings and minority reports published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 10 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Environment Protection Amendment Bill 2018
 Firearms Amendment (Silencers) Bill 2018
 Justice Legislation Miscellaneous Amendment Bill 2018
 Justice Legislation (Police and Other Matters) Bill 2018
 Prevention of Family Violence Bill 2018
 Racing Amendment (Integrity and Disciplinary Structures) Bill 2018
 State Taxation Acts Amendment Bill 2018
 Toll Fine Enforcement Bill 2018
 Victorian Industry Participation Policy (Local Jobs First) Amendment Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 60 (*Gazette G25, 21 June 2018*)

Ombudsman:

Investigation into child sex offender Robert Whitehead's involvement with Puffing Billy and other railway bodies — Ordered to be published

Ombudsman's recommendations — second report — Ordered to be published

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Boroondara — C263 Part 1, C268 Part 3, C299
 Cardinia — C236
 Casey — C237, C239
 Darebin — GC86
 Frankston — GC90
 Greater Geelong — C373, C381
 Greater Shepparton — C196, C209
 Hobsons Bay — C109
 Hume — C222, C223
 Knox — C163
 Maribyrnong — GC82
 Melbourne — C190 Part 2, C317, C325, C332, GC82
 Melton — C197
 Mitchell — C132, GC101
 Moonee Valley — C187
 Mornington Peninsula — C221
 Mount Alexander — GC90
 Port Phillip — GC82
 Queenscliffe — C29
 Stonnington — C279, GC82
 Victoria Planning Provisions — VC150
 Whittlesea — C192, GC86, GC101
 Wodonga — C125, C127
 Wyndham — GC90

Rail Safety National Law Application Act 2013 — Rail Safety National Law National Regulations (Fees) Variation Regulations 2018 under s 12

Statutory Rules under the following Acts:

Associations Incorporation Reform Act 2012 — SR 81
Australian Consumer Law and Fair Trading Act 2012 — SR 98
Building Act 1993 — SR 100
Commercial Passenger Vehicle Industry Act 2017 — SRs 84, 85
Estate Agents Act 1980 — SRs 82, 97
Health Services Act 1988 — SR 83
Marine Safety Act 2010 — SR 101
Mineral Resources (Sustainable Development) Act 1990 — SR 78
Motor Car Traders Act 1986 — SRs 94, 95
Planning and Environment Act 1987 — SRs 92, 93
Professional Boxing and Combat Sports Act 1985 — SR 79
Public Health and Wellbeing Act 2008 — SR 99
Road Safety Act 1986 — SRs 87, 88, 89
Service Victoria Act 2018 — SR 90
State Superannuation Act 1988 — SR 80
Subordinate Legislation Act 1994 — SR 91
Surveillance Devices Act 1999 — SR 96
Transport (Compliance and Miscellaneous) Act 1983 — SR 86
Victorian Civil and Administrative Tribunal Act 1998 — SR 77

Subordinate Legislation Act 1994:

Documents under s 15 in relation to — *Occupational Health and Safety Act 2004* — Minister's order approving Compliance code: Hazardous substances
 Documents under s 15 in relation to — Statutory Rules 74, 75, 77, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 89, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101
 Documents under s 16B in relation to:
Commercial Passenger Vehicle Industry Act 2017:
 Determination of fees
 Determination of specifications for fare calculation devices
 Determination of specifications for wheelchair accessible commercial passenger vehicles
 Determination of specifications for security cameras installed in commercial passenger vehicles
Criminal Procedure Act 2009 — Notice of declared venue under s 389G
Domestic Animals Act 1994 — Amendment of code of practice for the operation of breeding and rearing businesses 2014
Gambling Regulation Act 2003 — Victorian Lottery System Requirements Version 2.0
Wrongs Act 1958 — Notice under s 28LXA (*Gazette S321, 2 July 2018*).

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Justice Legislation Amendment (Access to Justice) Act 2018 — Parts 4, 7 and 9 — 1 July 2018 (*Gazette S284, 19 June 2018*)
Labour Hire Licensing Act 2018 — Parts 1 and 4, Divisions 2, 4, 5 and 7 of Part 7 and Part 9 — 27 June 2018 (*Gazette S305, 26 June 2018*)
Legal Identity of Defendants (Organisational Child Abuse) Act 2018 — Whole Act — 1 July 2018 (*Gazette S305, 26 June 2018*)
Planning and Environment Amendment (Public Land Contributions) Act 2018 — Whole Act — 2 July 2018 (*Gazette S305, 26 June 2018*)
Service Victoria Act 2018 — Whole Act — 1 July 2018 (*Gazette S284, 19 June 2018*).

13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Advancing the Treaty Process with Aboriginal Victorians Bill 2018 without amendment.

- 14 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 26 June 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Labour Hire Licensing Bill 2017
Marine and Coastal Bill 2017
Serious Offenders Bill 2018.

- 15 **MESSAGE FROM THE LIEUTENANT-GOVERNOR — ASSENT TO BILL** — Informing the Legislative Assembly that he had, on 3 July 2018, given the royal assent to the Advancing the Treaty Process with Aboriginal Victorians Bill 2018, presented to him by the Acting Clerk of the Parliaments.

- 16 **APPROPRIATION (2018–2019) BILL 2018** — The Speaker announced that, on 26 June 2018, he had presented to the Governor the Appropriation (2018–2019) Bill 2018 to which the Governor gave the royal assent.

- 17 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Environment Protection Amendment Bill 2018
Justice Legislation (Police and Other Matters) Bill 2018
Prevention of Family Violence Bill 2018
Racing Amendment (Integrity and Disciplinary Structures) Bill 2018
Victorian Industry Participation Policy (Local Jobs First) Amendment Bill 2018.

- 18 **LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE** — The Speaker announced that he had received the resignation of Ms Patten, MLC from the Law Reform, Road and Community Safety Committee, effective from 21 June 2018.

- 19 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2) —

(1) the Order of the Day, Government Business, relating to the Corrections Amendment (Parole) Bill 2018 be considered and completed by 4.30 pm on Wednesday 25 July 2018; and

(2) the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 26 July 2018:

Environment Protection Amendment Bill 2018
Justice Legislation (Police and Other Matters) Bill 2018
Justice Legislation Miscellaneous Amendment Bill 2018
Racing Amendment (Integrity and Disciplinary Structures) Bill 2018
Victorian Industry Participation Policy (Local Jobs First) Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

20 **STATEMENTS BY MEMBERS** — Statements by members were made.

21 **VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

22 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until the proposals contained in the Bill have been referred to, and reported on by, the Environment, Natural Resources and Regional Development Committee and amendments have been prepared to address the concerns that have been raised regarding the Bill' (*Mr Wakeling*) — and, after debate —

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

23 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

24 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.26 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 187 — Wednesday 25 July 2018

1 The Speaker took the Chair and read the Prayer.

2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

VicForests Timber Supply Agreements — Requesting that the Legislative Assembly calls on the Government to honour and restore the commitment made by VicForests that extensions will be available to A.G. Brown Sawmill, Dindi Sawmill, Fenning Timbers, Kelly's Timber, Powelltown Sawmill and Ryan McNulty who signed timber supply agreements before 30 June 2017, thereby safeguarding local jobs and livelihoods, bearing 111 signatures (*Ms McLeish*)

Glen Waverley Electrical Power Substation — Requesting that the Legislative Assembly calls on the Government to change the substation location to the southern side of the Glen Waverley tracks at the end of the rail reserve away from residential properties with adequate noise and lighting abatement, bearing 215 signatures (*Mr O'Brien, Malvern*)

Bus Services in the Melton Electorate — Requesting that the Legislative Assembly calls on the Government to establish and implement new bus services to Eyensbury, Waterford, Atherstone and Melton South, bearing 68 signatures (*Mr Nardella*)

Mornington Peninsula Development — Requesting that the Legislative Assembly protects the Mornington Peninsula from inappropriate development by prohibiting three storey buildings in general residential zones, bearing 8 signatures (*Mr Dixon*)

Capel Caravan Park — Requesting that the Legislative Assembly calls on the Government to take steps to assist residents of Capel Caravan Park in Capel Sound to find alternative affordable accommodation and investigate protection for tenants against financial loss should they choose to relocate following the recent sale of the caravan park, bearing 45 signatures (*Mr Dixon*)

Bike Lanes on High Street, Belmont — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street in Belmont, bearing 560 signatures (*Mr Katos*)

Childcare Centre Grovedale — Requesting that the Legislative Assembly calls on the Minister for Planning to intervene in the planning process for a proposed childcare centre at 37–39 Pioneer Road and 2 Westminster Street, Grovedale, before a decision is reached at VCAT, bearing 689 signatures (*Mr Katos*).

Petitions ordered to be tabled.

- 3 **PETITION — VICFORESTS TIMBER SUPPLY AGREEMENTS** — Motion made and question — That the petition presented by the Member for Eildon be taken into consideration tomorrow (*Ms McLeish*) — put and agreed to.
- 4 **PETITION — MORNINGTON PENINSULA DEVELOPMENT** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 5 **PETITION — CAPEL CARAVAN PARK** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.
- 6 **PETITION — GLEN WAVERLEY ELECTRICAL POWER SUBSTATION** — Motion made and question — That the petition presented by the Member for Malvern be taken into consideration tomorrow (*Mr O'Brien, Malvern*) — put and agreed to.
- 7 **PETITION — BIKE LANES ON HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

- 8 **PETITION — CHILDCARE CENTRE GROVEDALE** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 9 **PETITION — BUS SERVICES IN THE MELTON ELECTORATE** — Motion made and question — That the petition presented by the Member for Melton be taken into consideration tomorrow (*Mr Nardella*) — put and agreed to.
- 10 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (YOUTH OFFENDER COMPLIANCE) BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Children, Youth and Families Act 2005** in relation to parole and other matters and to make amendments to certain Acts related to the **Children and Justice Legislation Amendment (Youth Justice Reform) Act 2017** and to make consequential amendments to the **Surveillance Devices Act 1999** and to amend the **Children Legislation Amendment (Information Sharing) Act 2018** in relation to a definition that Act inserts in the **Children, Youth and Families Act 2005** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 11 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:
- Auditor-General:
- Local Government Insurance Risks — Ordered to be published
Managing the Municipal and Industrial Landfill Levy — Ordered to be published
- Interpretation of Legislation Act 1984* — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 75 (*Gazette G29, 19 July 2018*)
- Ombudsman — Complaints to the Ombudsman: resolving them early — Ordered to be published
- Planning and Environment Act 1987* — Notices of approval of amendments to the following Planning Schemes:
- Melbourne — C221
Yarra — C243.
- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 13 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:
- Family and Community Development Committee's Report on the Inquiry into perinatal services
- Economic, Education, Jobs and Skills Committee's Report on the Inquiry into fuel prices in regional Victoria
- Penalty Rates and Fair Pay Select Committee's Final Report
- Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates.
- 14 **VICTIMS AND OTHER LEGISLATION AMENDMENT BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered, after debate — That the debate be adjourned until Tuesday 7 August 2018.

- 15 **JUSTICE LEGISLATION AMENDMENT (UNLAWFUL ASSOCIATION AND CRIMINAL APPEALS) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 August 2018.

- 16 **DISABILITY SERVICE SAFEGUARDS BILL 2018** — *Mr Foley tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Foley*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 August 2018.

- 17 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2018** — *Ms Hutchins tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hutchins*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 8 August 2018.

- 18 **CORRECTIONS AMENDMENT (PAROLE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 19 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 20 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 21 **CORRECTIONS AMENDMENT (PAROLE) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Bull, Gippsland East*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 22 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 23 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — GOVERNMENT USE OF TAXPAYER MONEY** — The House was informed that Mr Guy had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Andrews Labor Government for its systematic roting of Victorian taxpayers' dollars, including:

- (1) roting electorate office budgets for Labor's red shirts scheme;
- (2) roting second residence allowances;
- (3) roting the use of ministerial vehicles; and
- (4) roting of printing allowances.'

Mr Guy addressed the House — Discussion followed.

- 24 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 25 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Returning the Electoral Legislation Amendment Bill 2018 and suggesting amendments.

Ordered — That the suggested amendments be taken into consideration later this day.

- 26 **MESSAGE FROM THE GOVERNOR** — Recommending a further appropriation for the purposes of the Electoral Legislation Amendment Bill 2018.

- 27 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — Order read for the consideration of the amendments suggested by the Legislative Council.

Motion made and question proposed — That this House:

- (1) makes amendment Nos 1 to 3 and Nos 7 to 14 suggested by the Legislative Council; and
- (2) does not make amendment Nos 4 to 6 suggested by the Legislative Council

(*Mr Pakula*) — and, after debate —

Allocation of time — The Acting Speaker advised that the time allocated for consideration of a bill under the resolution of the House on Tuesday 24 July 2018 had expired.

- 28 **CORRECTIONS AMENDMENT (PAROLE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 29 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — Debate continued on question — That the motion be agreed to.

Question — That the House makes amendment Nos 1 and 2 suggested by the Legislative Council — put and agreed to.

Question — That the House makes amendment No 3 suggested by the Legislative Council — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 33

Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the House does not make amendment Nos 4 to 6 inclusive suggested by the Legislative Council — put and agreed to.

Question — That the House makes amendment Nos 7 and 8 suggested by the Legislative Council — put and agreed to.

Question — That the House makes amendment No 9 suggested by the Legislative Council — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 33

Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the House makes amendment No 10 suggested by the Legislative Council — put and agreed to.

Question — That the House makes amendment Nos 11 and 12 suggested by the Legislative Council — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 33

Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the House makes amendment Nos 13 and 14 suggested by the Legislative Council — put and agreed to.

Bill returned to the Legislative Council with a message informing them accordingly.

- 30 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Scott*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 31 **JUSTICE LEGISLATION (POLICE AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 32 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 188 — Thursday 26 July 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — Mr Wynne obtained leave to bring in a Bill '*for an Act to amend the **Building Act 1993** to make it an offence for persons to carry out certain types of building work without being registered or licensed to do so, to provide for the provisional registration of builders and the licensing of building employees who carry out certain building work and related offences, to prohibit the use of certain wall cladding products, to amend certain disciplinary requirements for building practitioners, to provide further for the regulation of swimming pools and spas, to amend the **Local Government Act 1989** to provide for agreements to rectify defective cladding on buildings and charges to fund the rectification, to make minor and consequential amendments to the **Oaths and Affirmations Act 2018**, the **Domestic Building Contracts Act 1995** and the **Sale of Land Act 1962** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 3 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Beechworth Secondary College** — Requesting that the Legislative Assembly calls on the Government to deliver the funding required by Beechworth Secondary College to implement its full building plans before the Government goes into caretaker mode prior to the November 2018 election, bearing 814 signatures (*Mr Tilley*)
- VicForests Timber Supply Agreements** — Requesting that the Legislative Assembly calls on the Government to honour and restore the commitment made by VicForests that extensions will be available to A.G. Brown Sawmill, Dindi Sawmill, Fenning Timbers, Kelly's Timber, Powelltown Sawmill and Ryan McNulty who signed timber supply agreements before 30 June 2017, thereby safeguarding local jobs and livelihoods, bearing 52 signatures (*Ms Ryan*)
- AGL Floating Gas Terminal, Crib Point** — Requesting that the Legislative Assembly calls on the Government to reject AGL's proposal to transport liquid natural gas to a Floating Storage Regasification Unit moored to Crib Point jetty on Westernport Bay, bearing 1143 signatures (*Mr Burgess*)
- Cranbourne South Primary School** — Requesting that the Legislative Assembly calls on the Government to make funding available to replace the toilet block, fix the lack of heating, meeting and parking spaces, and remove the mould and asbestos from buildings at Cranbourne South Primary School, bearing 108 signatures (*Mr Burgess*)
- Wire Rope Barriers** — Requesting that the Legislative Assembly calls on the Government to stop the rollout of wire rope barriers across Victorian roads until safety concerns are addressed and a strategic approach adopted, bearing 53 signatures (*Ms Kealy*)
- Country Fire Authority** — Requesting that the Legislative Assembly calls on the Premier not to hand control of the Country Fire Authority to the United Firefighters Union, bearing 44 signatures (*Ms Kealy*)

Albacutya Bridge — Requesting that the Legislative Assembly calls on the Government to reinstate the Nationals' Country Roads and Bridges Program to assist the Hindmarsh Shire Council to rebuild the Albacutya Bridge so it can carry high-tonnage vehicles and keep jobs and businesses alive, bearing 72 signatures (*Ms Kealy*)

Lowan Community Sporting Clubs — Requesting that the Legislative Assembly calls on the Government to ensure local community sporting clubs in Lowan are not affected by any future legislative changes that would allow land tax to be charged to sporting clubs that hire their clubhouse for private events, bearing 505 signatures (*Ms Kealy*)

Davis Park Pavilion — Requesting that the Legislative Assembly calls on the Government to provide funding to repair or rebuild the Davis Park Pavilion in Nhill, bearing 289 signatures (*Ms Kealy*)

Public Transport Services in Western Victoria — Requesting that the Legislative Assembly calls on the Government to ensure an appropriate level of investment is made to improve public transport services in Western Victoria, bearing 758 signatures (*Ms Kealy*)

Miners Rest Primary School — Requesting that the Legislative Assembly calls on the Government to commit to building a new primary school for the Miners Rest community, bearing 21 signatures (*Ms Staley*)

State Forests in Ripon — Requesting that the Legislative Assembly calls on the Minister for Planning to ensure the access to all current state forests within Ripon is maintained for current allowed activities, bearing 3546 signatures (*Ms Staley*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 186 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 4 **PETITION — BEECHWORTH SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Benambra be taken into consideration tomorrow (*Mr Tilley*) — put and agreed to.
- 5 **PETITION — WIRE ROPE BARRIERS** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 6 **PETITION — COUNTRY FIRE AUTHORITY** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 7 **PETITION — ALBACUTYA BRIDGE** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 8 **PETITION — LOWAN COMMUNITY SPORTING CLUBS** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 9 **PETITION — DAVIS PARK PAVILION** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.
- 10 **PETITION — PUBLIC TRANSPORT SERVICES IN WESTERN VICTORIA** — Motion made and question — That the petition presented by the Member for Lowan be taken into consideration tomorrow (*Ms Kealy*) — put and agreed to.

- 11 **PETITION — AGL FLOATING GAS TERMINAL, CRIB POINT** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 12 **PETITION — CRANBOURNE SOUTH PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 13 **PETITION — VICFORESTS TIMBER SUPPLY AGREEMENTS** — Motion made and question — That the petition presented by the Member for Euroa be taken into consideration tomorrow (*Ms Ryan*) — put and agreed to.
- 14 **PETITION — STATE FORESTS IN RIPON** — Motion made and question — That the petition presented by the Member for Ripon be taken into consideration tomorrow (*Ms Staley*) — put and agreed to.

15 **DOCUMENTS**

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE — Mr Howard, Chair, presented an Interim report from the Law Reform, Road and Community Safety Committee on the Inquiry into VicRoads' management of country roads, together with an appendix.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — School Councils in Government Schools — Ordered to be published

Melbourne Cricket Ground Trust — Report year ended 31 March 2018

Statutory Rules under the following Acts:

Drugs, Poisons and Controlled Substances Act 1981 — SR 102

Rail Safety (Local Operations) Act 2006 — SR 103

Transport (Safety Schemes Compliance and Enforcement) Act 2014 — SR 104

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 102, 103, 104.

- 16 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 7 August 2018 (*Ms Allan*) — put and agreed to.
- 17 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 18 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (YOUTH OFFENDER COMPLIANCE) BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*
- Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).
- The second reading speech was incorporated into Hansard.
- Motion made and question — That the debate be now adjourned (*Ms Ryan*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 9 August 2018.

- 19 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Mr Pakula announced amendments to be proposed when the House considers the Bill in detail and requested that they be circulated. Amendments circulated.

Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

- 20 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

Member named and suspended — The Member for Kew (*Mr Smith*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Kew (*Mr Smith*) be suspended from the service of the House during the remainder of the day's sitting (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Mr Smith (*Kew*) accordingly withdrew from the Chamber.

- 21 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 22 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Carroll*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 23 **VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Dimopoulos*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 24 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting the words 'this House refuses to read this Bill a second time until the proposals contained in the Bill have been referred to, and reported on by, the Environment, Natural Resources and Regional Development Committee and amendments have been prepared to address the concerns that have been raised regarding the Bill'; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Spence*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 25 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Corrections Amendment (Parole) Bill 2018 without amendment.

- 26 **JUSTICE LEGISLATION (POLICE AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 24 July 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 27 **RACING AMENDMENT (INTEGRITY AND DISCIPLINARY STRUCTURES) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 5 inclusive be agreed to and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 28 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time, Government amendment Nos 1 to 23 inclusive be agreed to and the Bill be now read a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 77

Ms Allan; Mr Andrews; Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Mr Scott; Mr Smith (*Warrandyte*);

Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Mr Wynne.

NOES 3

Ms Sandell; Ms Sheed; Ms Thorpe.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 29 **VICTORIAN INDUSTRY PARTICIPATION POLICY (LOCAL JOBS FIRST) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 30 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting the words 'this House refuses to read this Bill a second time until the proposals contained in the Bill have been referred to, and reported on by, the Environment, Natural Resources and Regional Development Committee and amendments have been prepared to address the concerns that have been raised regarding the Bill'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Grale; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.17 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 31 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Electoral Legislation Amendment Bill 2018 with the amendments made by the Legislative Assembly on the suggestion of the Council, and with amendments made by the Council.

Motion made and question — That the amendments be taken into consideration immediately (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 32 **ELECTORAL LEGISLATION AMENDMENT BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 33 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.

- 34 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 6.44 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS

Nos 189, 190 and 191

No 189 — Tuesday 7 August 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **RESIDENTIAL TENANCIES AMENDMENT BILL 2018** — Ms Kairouz obtained leave to bring in a Bill '*for an Act to amend the **Residential Tenancies Act 1997**, to make consequential amendments to that Act and other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time on Thursday 9 August 2018.
- 5 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — Mr Pakula obtained leave to bring in a Bill '*for an Act to amend the **Open Courts Act 2013** in relation to the prohibition and restriction of the publication of information in court and tribunal proceedings, to make related amendments to the **Children, Youth and Families Act 2005** and the **Judicial Proceedings Reports Act 1958** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Mr Donnellan obtained leave to bring in a Bill '*for an Act to amend the **Business Franchise (Petroleum Products) Act 1979**, the **Commercial Passenger Vehicle Industry Act 2017**, the **Heavy Vehicle National Law Application Act 2013**, the **Major Transport Projects Facilitation Act 2009**, the **Road Safety Act 1986**, the **Transport Integration Act 2010**, the **Transport (Compliance and Miscellaneous) Act 1983**, the **Transport Legislation Amendment (Road Safety, Rail and Other Matters) Act 2017**, to make consequential amendments to other Acts and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — Mr Pallas obtained leave to bring in a Bill '*for an Act to amend the **Gambling Regulation Act 2003** to alter the tax arrangements in relation to wagering and betting and to make consequential amendments to the **Taxation Administration Act 1997** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 8 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2018** — Mr Pallas obtained leave to bring in a Bill '*for an Act to amend the **Criminal Procedure Act 2009**, the **Mineral Resources (Sustainable Development) Act 1990**, the **Mineral Resources (Sustainable Development) Amendment (Latrobe Valley Mine Rehabilitation Commissioner) Act 2017** and for other purposes*'; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.

9 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 11 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Children, Youth and Families Amendment (Youth Offender Compliance) Bill 2018
 Corrections Amendment (Parole) Bill 2018
 Disability Service Safeguards Bill 2018
 Environment Protection Amendment Bill 2018
 Environment Protection Amendment (Container Deposit Scheme) Bill 2018
 Justice Legislation Amendment (Unlawful Association and Criminal Appeals) Bill 2018
 Justice Legislation Miscellaneous Amendment Bill 2018
 Justice Legislation (Police and Other Matters) Bill 2018
 Owner Drivers and Forestry Contractors Amendment Bill 2018
 Racing Amendment (Integrity and Disciplinary Structures) Bill 2018
 Victims and Other Legislation Amendment Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978 — Orders under ss 17B and 17D granting a licence and a lease over Point Leo Foreshore Reserve (two orders)

Environment Protection Act 1970 — Orders under s 18D (three orders)

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 6 (*Gazette G30, 26 July 2018*)

Parliamentary Budget Officer — Operational Plan 2018–19

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Victoria Planning Provisions — VC148
 Yarra — C218, C219

Statutory Rules under the following Acts:

Environment Protection Act 1970 — SR 106
Improving Cancer Outcomes Act 2014 — SR 107
Subordinate Legislation Act 1994 — SR 105

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 80, 105, 106, 107.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Advancing the Treaty Process with Aboriginal Victorians Act 2018 — Whole Act — 1 August 2018 (*Gazette S356, 31 July 2018*)

Liquor and Gambling Legislation Amendment Act 2018 — Sections 48 and 68, Divisions 4, 6, 7, 9 and 10 of Part 2 and Divisions 2 and 3 of Part 3 — 18 July 2018; Division 8 of Part 2 — 13 September 2018 (*Gazette S337, 17 July 2018*)

Marine and Coastal Act 2018 — Whole Act — 1 August 2018 (*Gazette S337, 17 July 2018*)

Serious Offenders Act 2018 — Whole Act — 3 September 2018 (*Gazette S356, 31 July 2018*).

- 10 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Education Legislation Amendment (Victorian Institute of Teaching, TAFE and Other Matters) Bill 2018
Justice Legislation Amendment (Terrorism) Bill 2018.

- 11 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 31 July 2018

Corrections Amendment (Parole) Bill 2018

Electoral Legislation Amendment Bill 2018

On 7 August 2018

Education Legislation Amendment (Victorian Institute of Teaching, TAFE and Other Matters) Bill 2018
Justice Legislation Amendment (Terrorism) Bill 2018.

- 12 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Disability Service Safeguards Bill 2018

Victims and Other Legislation Amendment Bill 2018.

- 13 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 9 August 2018:

Children, Youth and Families Amendment (Youth Offender Compliance) Bill 2018

Disability Service Safeguards Bill 2018

Prevention of Family Violence Bill 2018

Victims and Other Legislation Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 43

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 40

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan;

Ms Sandell; Ms Sheed; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 14 **STATEMENTS BY MEMBERS** — Statements by members were made.

The Member for Ripon presented a petition requesting that the Legislative Assembly calls on the Minister for Planning to ensure the access to all state forests within Ripon is maintained for current allowed activities, bearing 104 signatures.

- 15 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — *Mr Wynne tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Wynne*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Battin*) — put and agreed to.

Ordered — That the debate be adjourned until Tuesday 21 August 2018.

- 16 **VICTIMS AND OTHER LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Donnellan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 18 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 190 — Wednesday 8 August 2018

- 1 The Speaker took the Chair and read the Prayer.

2 DOCUMENTS

ELECTORAL MATTERS COMMITTEE — Ms Asher, Chair, presented a report from the Electoral Matters Committee on the Inquiry into civics and electoral participation in Victorian state parliamentary elections, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General — Managing Rehabilitation Services in Youth Detention — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 16B in relation to *Catchment Land Protection Act 1994* — Declaration of the feral or wild population of the cat to be an established pest animal on specified Crown land.

3 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018
Victorian Industry Participation Policy (Local Jobs First) Amendment Bill 2018.

4 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Owners Corporations Amendment (Short-stay Accommodation) Bill 2016 with amendments.

Ordered — That the amendments be taken into consideration later this day.

5 **STATEMENTS BY MEMBERS** — Statements by members were made.

6 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Penalty Rates and Fair Pay Select Committee's Final Report

Family and Community Development Committee's Report on the Inquiry into perinatal services

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils

Law Reform, Road and Community Safety Committee's Report on the Inquiry into VicRoads' management of country roads.

7 **REFERRAL TO OMBUDSMAN** — Motion made and question proposed — That, under s 16 of the *Ombudsman Act 1973*, this House refers for investigation the following matters:

- (1) All invoices rendered by Melbourne Mailing and submitted to the Department of Parliamentary Services for payment;
- (2) The identity of all members of Parliament endorsed as candidates by Liberal Victoria and the Nationals Victoria certifying as to the legitimacy of those invoices;
- (3) Whether any goods or services were provided in connection with the rendering of those invoices; and if so, whether there is any evidence that the goods and services provided fairly reflected the value and description of items as outlined in the invoices;
- (4) Whether members certifying as to the accuracy of the invoices knew, or ought to have known, whether the goods and services referred to in the invoices were provided adequately, or at all;
- (5) Whether members certifying as to the accuracy of the invoices knew, or ought to have known, whether the goods and services referred to in the invoices were charged at a fair commercial rate, or an inflated rate;

- (6) Any kickbacks and levies received by members of Parliament, or by or on behalf of Liberal Victoria, associated with Melbourne Mailing and the deal struck by convicted criminal and former Liberal Victoria State Director Damien Mantach;
- (7) Any practice of falsification of invoices by members of Parliament endorsed as candidates by Liberal Victoria and the Nationals Victoria, in particular the current Member for Lowan, to obtain payment for goods, services or advertising, while circumventing Department of Parliamentary Services oversight rules and the Parliament of Victoria *Members' Guide* pertaining to payment of invoices submitted by members during the 2014–15 financial year, and from 1 June 2018 to the date of this motion;
- (8) The relevant members and former members for the purposes of this investigation include:
- (a) the current Members for Bass, Bayswater, Benambra, Box Hill, Brighton, Bulleen, Burwood, Caulfield, Croydon, Eildon, Evelyn, Ferntree Gully, Forest Hill, Gembrook, Hastings, Hawthorn, Kew, Lowan, Malvern, Mornington, Mount Waverley, Narracan, Nepean, Ringwood, Ripon, Rowville, Sandringham, South Barwon and Warrandyte; and
 - (b) the former members Hon Ted Baillieu, Donna Bauer, Hon Nick Kotsiras, Hon Andrew McIntosh, Elizabeth Miller, Hon Terry Mulder, Hon Denis Napthine, Clem Newton-Brown, Geoff Shaw, Hon Ken Smith and Lorraine Wreford

(Mr Merlino) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **REFERRAL TO OMBUDSMAN** — Debate resumed on question — That the motion be agreed to.

Business having been interrupted at 2.00 pm under sessional orders.

11 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

12 **REFERRAL TO OMBUDSMAN** — Resumption on question — That the motion be agreed to.

Amendment proposed — That paragraph (7) be omitted *(Mr Walsh)* — and, after debate —

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 46

Ms Allan; Mr Andrews; Mr Bull *(Sunbury)*; Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Galey; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson *(Footscray)*; Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh.

Question agreed to.

Original question — put and agreed to.

- 13 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — *Mr Pakula tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pakula*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 August 2018.

- 14 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — *Mr Donnellan tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Donnellan*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Hodgett*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 August 2018.

- 15 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr O'Brien, Malvern*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 August 2018.

- 16 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2018** — *Mr Pallas tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Pallas*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Southwick*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 22 August 2018.

- 17 **OWNERS CORPORATIONS AMENDMENT (SHORT-STAY ACCOMMODATION) BILL 2016** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 18 **DISABILITY SERVICE SAFEGUARDS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 19 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 191 — Thursday 9 August 2018

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Penalties for Substance Abuse Drivers — Requesting that the Legislative Assembly calls on the Government to legislate harsher penalties for drivers who have been found guilty of driving under the influence of drugs and subsequently reoffend, bearing 277 signatures (*Mr Burgess*)

Bus Service along Donnybrook Road — Requesting that the Legislative Assembly calls on the Government to fund and commence a bus service from estates along Donnybrook Road to Craigieburn railway station and Craigieburn Central shopping centre, bearing 97 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — PENALTIES FOR SUBSTANCE ABUSE DRIVERS** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.

- 4 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Parliamentary Committees Act 2003 — Government response to the Accountability and Oversight Committee's report on Victorian Oversight Agencies 2016–17

Planning and Environment Act 1987 — Notice of approval of an amendment to the Victoria Planning Provisions — VC151

Statutory Rules under the following Acts:

Electoral Act 2002 — SR 111

Magistrates' Court Act 1989 — SR 110

Subordinate Legislation Act 1994 — SRs 108, 109

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 90, 110

Documents under s 16B in relation to the:

Gambling Regulation Act 2003 — Declaration under s 3.4A.5AA(3)

Renewable Energy (Jobs and Investment) Act 2017 — Declaration of renewable energy sources.

- 5 **VICTORIAN HEALTH PROMOTION FOUNDATION** — The Speaker announced that he had received the following letter:

The Hon Colin Brooks MP
Speaker of the Legislative Assembly
Parliament House
Spring Street
MELBOURNE VIC 3000

Dear Speaker

MEMBERSHIP — VICTORIAN HEALTH PROMOTION FOUNDATION

The Victorian Health Promotion Foundation ('the Foundation') is established under Section 16 of the *Tobacco Act 1987* (the Act) to promote good health and advance disease prevention in the community.

Under Section 21(1)(f) of the Act, three (3) members of the Foundation are members of either the Legislative Assembly or the Legislative Council and elected by both Houses jointly.

Due to the resignation of Colleen Hartland MP from Parliament, there is one vacancy on the Foundation.

I would be grateful if you could place this matter on the agenda for a joint sitting of both Houses.

I have forwarded a similar request to the President of the Legislative Council.

Yours sincerely

Hon Jill Hennessy MP
Minister for Health
Minister for Ambulance Services
7/8/2018.

- 6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 21 August 2018 (*Ms Hennessy*) — put and agreed to.

- 7 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 8 **RESIDENTIAL TENANCIES AMENDMENT BILL 2018** — *Ms Kairouz* tabled a statement of compatibility in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Ms Victoria*) — put and agreed to.

Ordered — That the debate be adjourned until Thursday 23 August 2018.

- 9 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (YOUTH OFFENDER COMPLIANCE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Mr Merlino*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 10 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

Member named and suspended — The Member for Caulfield (*Mr Southwick*) having been named by the Speaker for disregarding the authority of the Chair —

Motion made and question — That the Member for Caulfield (*Mr Southwick*) be suspended from the service of the House for four sitting days (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Wells.

Question agreed to.

Mr Southwick accordingly withdrew from the Chamber.

- 12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 13 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Wakeling*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 14 **DISABILITY SERVICE SAFEGUARDS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Neville*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 15 **BUDGET PAPERS** — Order read for resuming debate on question — That this House takes note of the 2018–19 budget papers — put, after debate, and agreed to.

- 16 **DISABILITY SERVICE SAFEGUARDS BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*see p 905*).

Allocation of time — *The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 August 2018 had expired.*

Question — That clause 166 stands part of the Bill — put and agreed to.

Question — That clauses 167 to 320 inclusive stand part of the Bill, the Bill be agreed to without amendment and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **VICTIMS AND OTHER LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **CHILDREN, YOUTH AND FAMILIES AMENDMENT (YOUTH OFFENDER COMPLIANCE) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 79

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams.

NOES 3

Mr Hibbins; Ms Sandell; Ms Thorpe.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.07 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.32 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 189, 190 and 191

No 191 — Thursday 9 August 2018

DISABILITY SERVICE SAFEGUARDS BILL 2018

Clauses 1 to 165 agreed to.

Clause 166 — debate commenced.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 7 August 2018 had expired (for remaining stages see p 903).

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS No 192, 193 and 194

No 192 — Tuesday 21 August 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **SALE OF LAND AMENDMENT BILL 2018** — Ms Kairouz obtained leave to bring in a Bill *'for an Act to make various amendments to the Sale of Land Act 1962 in relation to off-the-plan contracts, terms contracts, rent-to-buy arrangements and options to purchase land under land banking schemes, to amend the ANZAC Day Act 1958 to impose restrictions on public auctions, and to amend the Estate Agents Act 1980 in respect of payments that may be made from the Victorian Property Fund and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 5 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2018** — Ms Hennessy obtained leave to bring in a Bill *'for an Act to amend the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 and for other purposes'*; and the Bill was read a first time and ordered to be read a second time tomorrow.
- 6 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Mr Scott obtained leave to bring in a Bill *'for an Act to amend the Essential Services Commission Act 2001 and the Victorian Civil and Administrative Tribunal Act 1998, to make consequential amendments to certain other Acts and for other purposes'*; and, after debate, the Bill was read a first time and ordered to be read a second time tomorrow.
- 7 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — Under s 85 of the *Constitution Act 1975*, Mr Pallas gave a notice of intention to make a statement of the reason why that section should be altered or varied by the Bill.
- 8 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Proposed Basketball/Netball Stadium at Rosanna Golf Links Primary School — Requesting that the Legislative Assembly calls on the Government to allocate funds for the development of a single court basketball/netball stadium at Rosanna Golf Links Primary School, for after-hours use by sporting clubs, with a staff office, toilets and storerooms for PE and band equipment, bearing 561 signatures (*Mr Carbines*)

Tram Terminus on Melville Road — Requesting that the Legislative Assembly calls on the Government to halt the changes that are being made to the tram terminus on Melville Road by Public Transport Victoria until there is genuine, fair and adequate community consultation, bearing 670 signatures (*Ms Sandell*)

Rosanna Road Changes — Requesting that the Legislative Assembly calls on the Government to provide sufficient government funding and resources to implement changes that will address safety and amenity issues on Rosanna Road in Rosanna and Heidelberg and surrounding streets, bearing 104 signatures (*Mr Hibbins*).

Petitions ordered to be tabled.

9 **PETITION — PROPOSED BASKETBALL/NETBALL STADIUM AT ROSANNA GOLF LINKS PRIMARY SCHOOL** — Motion made and question — That the petition presented by the Member for Ivanhoe be taken into consideration tomorrow (*Mr Carbines*) — put and agreed to.

10 **PETITION — ROSANNA ROAD CHANGES** — Motion made and question — That the petition presented by the Member for Prahran be taken into consideration tomorrow (*Mr Hibbins*) — put and agreed to.

11 **PETITION — TRAM TERMINUS ON MELVILLE ROAD** — Motion made and question — That the petition presented by the Member for Melbourne be taken into consideration tomorrow (*Ms Sandell*) — put and agreed to.

12 **DOCUMENTS**

PARTNERSHIPS VICTORIA METROPOLITAN MOBILE RADIO CONTRACT EXTENSION: PROJECT SUMMARY — Report tabled by leave (*Mr Merlino*).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Mr Bull (*Sunbury*) presented the Alert Digest No 12 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Building Amendment (Registration of Building Trades and Other Matters) Bill 2018
 Corrections Amendment (Parole) Act 2018
 Disability Service Safeguards Bill 2018
 Gambling Regulation Amendment (Wagering and Betting) Bill 2018
 Mineral Resources (Sustainable Development) Amendment Bill 2018
 Open Courts and Other Acts Amendment Bill 2018
 Owner Drivers and Forestry Contractors Amendment Bill 2018
 Residential Tenancies Amendment Bill 2018
 Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Order under s 17B granting a licence over Glendhu Historic Area
 Order under s 17D granting a lease over Point Leo Foreshore Reserve

Gambling Regulation Act 2003 — Report of Independent Review Panel — Gaming Machines Licensing Process: regulatory review — Ordered to be published

Interpretation of Legislation Act 1984:

Notice under s 32(3)(a)(iii) in relation to Waste Management Policy (E-waste) (*Gazette G32, 9 August 2018*)

Notice under s 32(4)(a)(iii) in relation to Code of Practice for the Operation of Breeding and Rearing Businesses 2014 (*Gazette G31, 2 August 2018*)

Parliamentary Committees Act 2003 — Government response to the Economic, Education, Jobs and Skills Committee's Report on the Inquiry into fuel prices in regional Victoria

Planning and Environment Act 1987 — Notices of approval of amendments to the following planning schemes:

Baw Baw — C116
 Bayside — C155
 Boroondara — C271
 Glen Eira — C157
 Greater Bendigo — C236, GC91
 Greater Shepparton — C202, GC91
 Latrobe — C103
 Melbourne — C284, C326, C334
 Melton — C181
 Mitchell — GC91, GC106
 Monash — C86
 Mooney Valley — GC91
 Wangaratta — C75
 Wellington — C101, GC91
 Whittlesea — GC106

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 108, 109, 111

Surveillance Devices Act 1999 — Report of the Victorian Inspectorate under s 30Q.

- 13 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Emergency Management Legislation Amendment Bill 2018
 Racing Amendment (Integrity and Disciplinary Structures) Bill 2018.

- 14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Environment Protection Amendment Bill 2018 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 15 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 14 August 2018
 Justice Legislation Amendment (Family Violence Protection and Other Matters) Bill 2018
 Owners Corporations Amendment (Short-stay Accommodation) Bill 2016
 Victorian Industry Participation Policy (Local Jobs First) Amendment Bill 2018

On 21 August 2018
 Emergency Management Legislation Amendment Bill 2018
 Racing Amendment (Integrity and Disciplinary Structures) Bill 2018.

- 16 **MESSAGES FROM THE GOVERNOR** — Recommending appropriations for the purposes of the following bills:

Gambling Regulation Amendment (Wagering and Betting) Bill 2018
 Mineral Resources (Sustainable Development) Amendment Bill 2018
 Residential Tenancies Amendment Bill 2018
 Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018.

- 17 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 23 August 2018:

Building Amendment (Registration of Building Trades and Other Matters) Bill 2018
 Gambling Regulation Amendment (Wagering and Betting) Bill 2018
 Owner Drivers and Forestry Contractors Amendment Bill 2018
 Residential Tenancies Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 39

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 18 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 19 **NO CONFIDENCE MOTION** — Motion made and question — That the Premier and the other Ministers of State for the State of Victoria no longer possess the confidence of this House (*Mr Guy*) — and, after debate —

Business having been interrupted at 7.00 pm under sessional orders.

Motion made and question — That the sitting be continued (*Mr Wynne*) — put and agreed to.

Debate continued on question — That the Premier and the other Ministers of State for the State of Victoria no longer possess the confidence of this House.

Motion made and question — That the question be now put (*Ms Hutchins*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 45

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 33

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 49

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

- 20 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Ms Allan*) — put and agreed to.
- 21 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 8.09 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 193 — Wednesday 22 August 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITION** — The Acting Clerk announced that the following petition had been lodged for presentation:

Capel Caravan Park — Requesting that the Legislative Assembly calls on the Government to take steps to assist residents of Capel Caravan Park in Capel Sound to find alternative affordable accommodation and investigate protection for tenants against financial loss should they choose to relocate following the recent sale of the caravan park, bearing 137 signatures (*Mr Dixon*).

Ordered to be tabled.

- 3 **PETITION — CAPEL CARAVAN PARK** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

4 DOCUMENTS

ACCOUNTABILITY AND OVERSIGHT COMMITTEE — Mr Angus, Chair, presented a report from the Accountability and Oversight Committee on the Inquiry into methodologies and outcomes from Victorian Ombudsman reports tabled in the Parliament, together with transcripts of evidence.

Ordered to be tabled and the report published.

ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE — Mr Crisp presented a report from the Economic, Education, Jobs and Skills Committee on the Inquiry into career advice activities in Victorian schools, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENT TABLED UNDER AN ACT OF PARLIAMENT — The Acting Clerk tabled the following document in accordance with an Act of Parliament:

Surveyor-General — Report 2017–18 on the administration of the *Survey Co-ordination Act 1958*.

- 5 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Residential Tenancies Amendment (Long-term Tenancy Agreements) Bill 2017 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 6 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 7 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Penalty Rates and Fair Pay Select Committee's Final Report

Accountability and Oversight Committee's Report on the Inquiry into methodologies and outcomes from Victorian Ombudsman reports tabled in the Parliament

Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes

Environment, Natural Resources and Regional Development Committee's Final Report on the Inquiry into the sustainability and operational challenges of Victoria's rural and regional councils

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates

Electoral Matters Committee's Report on the Inquiry into civics and electoral participation in Victorian state parliamentary elections.

- 8 **SALE OF LAND AMENDMENT BILL 2018** — *Ms Kairouz tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Kairouz*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 5 September 2018.

- 9 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2018** — *Ms Hennessy tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Ms Hennessy*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Clark*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 5 September 2018.

- 10 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — *Mr Scott tabled a statement of compatibility in accordance with the Charter of Human Rights and Responsibilities Act 2006.*

Motion made and question proposed — That this Bill be now read a second time (*Mr Scott*).

The second reading speech was incorporated into Hansard.

Motion made and question — That the debate be now adjourned (*Mr Morris*) — put and agreed to.

Ordered — That the debate be adjourned until Wednesday 5 September 2018.

- 11 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

- 12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

- 13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

- 14 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

- 15 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — JOB CREATION** — The House was informed that Mr Pallas had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House notes the 370,000 jobs created under the Andrews Labor Government and further notes:

- (1) more than 234,000 of the jobs created under Labor are full time jobs;
- (2) the former Liberal/National Government cut 4,200 public sector jobs and failed to properly invest in job creating projects, resulting in skyrocketing unemployment; and
- (3) the Liberals and the Nationals failed regional Victoria, creating fewer than 10,000 jobs in their entire term, compared to more than 45,000 under the Andrews Government.'

Mr Pallas addressed the House — Discussion followed.

- 16 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 17 **RESIDENTIAL TENANCIES AMENDMENT (LONG-TERM TENANCY AGREEMENTS) BILL 2017** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 18 **ENVIRONMENT PROTECTION AMENDMENT BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 19 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Motion made and question — That the debate be now adjourned (*Ms Halfpenny*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

- 20 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — Mr Pallas made a statement under s 85(5)(c) of the *Constitution Act 1975* of the reasons why that section should be altered or varied by the Gambling Regulation Amendment (Wagering and Betting) Bill 2018.

- 21 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 7.00 pm under sessional orders.

- 22 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.20 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 194 — Thursday 23 August 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Marong Primary School — Requesting that the Legislative Assembly calls on the Minister for Education to allocate funding for new facilities to cater for rapidly growing enrolments at Marong Primary School, bearing 163 signatures (*Ms Edwards*)

Bairnsdale Secondary College — Requesting that the Legislative Assembly calls on the Government to fund stage two of Bairnsdale Secondary College, bearing 273 signatures (*Mr Bull, Gippsland East*)

Norwood Secondary College — Requesting that the Legislative Assembly calls on the Government to ensure Norwood Secondary College receives funding to upgrade and modernise its teaching and learning facilities, bearing 276 signatures (*Ms Ryall*).

Petitions ordered to be tabled.

- 3 **PETITION — BAIRNSDALE SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Gippsland East be taken into consideration tomorrow (*Mr Bull, Gippsland East*) — put and agreed to.
- 4 **PETITION — NORWOOD SECONDARY COLLEGE** — Motion made and question — That the petition presented by the Member for Ringwood be taken into consideration tomorrow (*Ms Ryall*) — put and agreed to.

5 **DOCUMENTS**

GOVERNMENT RESPONSE TO THE COMMUNITY VISITORS REPORT 2016–17 — Report tabled by leave (*Mr Foley*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Charter of Human Rights and Responsibilities Act 2006 — Report 2017 on the operation of the Act — Ordered to be published

Parliamentary Committees Act 2003 — Government response to the Law Reform, Road and Community Safety Committee's Report on the Inquiry into Drug Law Reform

Statutory Rules under the following Acts:

Firearms Act 1996 — SR 114

Subordinate Legislation Act 1994 — SR 112
Victorian Plantations Corporation Act 1993 — SR 113

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 113.

6 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 4 September 2018 (*Ms Allan*) — put and agreed to.

7 **STATEMENTS BY MEMBERS** — Statements by members were made.

8 **PRODUCTION OF DOCUMENTS** — Motion made and question — That in relation to the order for the production of documents agreed to by the House on 29 March 2018:

- (1) Documents provided in response to the order may be lodged with the Clerk on a day on which the Assembly is not sitting;
- (2) If documents are received by the Clerk on a day on which the Assembly is not sitting:
 - (a) the documents are deemed to have been tabled under SO 171(2) upon receipt by the Clerk;
 - (b) the Clerk must notify each Assembly member of the receipt of the documents and make the documents available as soon as practicable; and
- (3) Documents received by the Clerk in response to the order are taken to have been published by authority of the Assembly

(*Ms Allan*) — put, after debate, and agreed to.

9 **RESIDENTIAL TENANCIES AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until further consultation takes place with all affected stakeholders' (*Ms Victoria*) — and, after debate —

Business having been interrupted at 11.00 am under sessional orders.

10 **STATEMENTS BY LEAVE REGARDING HON FIONA RICHARDSON** — By leave, the Premier and the Member for Northcote made statements in relation to the anniversary of the death of the Hon Fiona Richardson.

11 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

12 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

13 **RESIDENTIAL TENANCIES AMENDMENT BILL 2018** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Ms Ward*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

14 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Disability Service Safeguards Bill 2018 without amendment.

- 15 **GAMBLING REGULATION AMENDMENT (WAGERING AND BETTING) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Deputy Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 21 August 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Bill read a third time with the concurrence of an absolute majority of the whole number of the members of the Legislative Assembly.

Bill sent to the Legislative Council and their agreement requested.

- 16 **BUILDING AMENDMENT (REGISTRATION OF BUILDING TRADES AND OTHER MATTERS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **OWNER DRIVERS AND FORESTRY CONTRACTORS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **RESIDENTIAL TENANCIES AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this House refuses to read this Bill a second time until further consultation takes place with all affected stakeholders'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 35

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.12 pm under sessional orders.

- 19 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.41 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 195, 196, 197 and 198

No 195 — Tuesday 4 September 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
- 2 **DEATH OF THE HONOURABLE WILLIAM DESMOND McGRATH** — Motion made and question — That this House expresses its sincere sorrow at the death of the Honourable William Desmond McGrath, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral Districts of Lowan from 1979 to 1992 and Wimmera from 1992 to 1999 and Minister for Agriculture from 1992 to 1996, Minister for Corrections from 1996 to 1999 and Minister for Police and Emergency Services from 1996 to 1999 (*Mr Andrews*) — put, after members had addressed the House in support of the motion and, members rising in their places to signify their assent, agreed to unanimously.
- 3 **ADJOURNMENT** — Motion made and question — That, as a further mark of respect to the memory of the late Honourable William Desmond McGrath, the House now adjourns until 2.00 pm today (*Mr Andrews*) — put and agreed to.

And the House, at 12.58 pm, adjourned until 2.00 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 196 — Tuesday 4 September 2018 (2.00 pm)

- 1 The House met according to the adjournment — The Speaker took the Chair.
- 2 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
- 3 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
- 4 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Penalties for Substance Abuse Drivers — Requesting that the Legislative Assembly calls on the Government to legislate harsher penalties for drivers who have been found guilty of driving while under the influence of drugs and subsequently reoffend, bearing 141 signatures (*Mr Burgess*)

Review of Ambulance Services in Rochester — Requesting that the Legislative Assembly calls on the Government to consult with the community and immediately review the level of ambulance services in Rochester, bearing 1728 signatures (*Mr Walsh*).

Petitions ordered to be tabled.

5 DOCUMENTS

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 13 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Building Amendment (Registration of Building Trades and Other Matters) Bill 2018
 Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018
 Forests (Wood Pulp Agreement) Repeal Bill 2018
 Justice Legislation Amendment (Unlawful Association and Criminal Appeals) Bill 2018
 Open Courts and Other Acts Amendment Bill 2018
 Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2018
 Sale of Land Amendment Bill 2018
 Victims and Other Legislation Amendment Bill 2018

together with appendices.

Ordered to be tabled and published.

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on the Inquiry into the external oversight of police corruption and misconduct in Victoria, together with appendices and transcripts of evidence.

Ordered to be tabled and the report and appendices published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Crown Land (Reserves) Act 1978:

Orders under s 17B granting licences over:

Beauty Park

Flinders Foreshore Reserve

Order under s 17D granting a lease over Yarra Bend Park

Environment Protection Act 1970 — Order under s 18D

National Environment Protection Council — Report 2016–17

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ballarat — GC95

Boroondara — C291

Corangamite — C45

Greater Shepparton — C208

Latrobe — C108

Melton — C174, C196, GC95

Moorabool — GC95

Yarra — C241

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 73, 112, 114

Documents under s 16B in relation to:

Gambling Regulation Act 2003 — Determination of Gaming Machine Entitlement Allocation and Transfer Rules

Transport (Compliance and Miscellaneous) Act 1983 — 2018 Amending Conditions No 2 under s 220D.

PRODUCTION OF DOCUMENTS UNDER SO 171 — The Acting Clerk tabled documents in accordance with the resolution of the House on 29 March 2018 (32 boxes) — Ordered to be published under the resolution of the House on 23 August 2018.

- 6 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Prevention of Family Violence Bill 2018 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 7 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Victims and Other Legislation Amendment Bill 2018 with an amendment.

Ordered — That the amendment be taken into consideration later this day.

- 8 **MESSAGE FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had, on 28 August 2018, given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

Disability Service Safeguards Bill 2018

Environment Protection Amendment Bill 2018

Residential Tenancies Amendment (Long-term Tenancy Agreements) Bill 2017.

- 9 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 6 September 2018:

Justice Legislation Amendment (Unlawful Association and Criminal Appeals) Bill 2018

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2018

Transport Legislation Amendment (Better Roads Victoria and Other Amendments) Bill 2018

Treasury and Finance Legislation Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 41

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 10 **STATEMENTS BY MEMBERS** — Statements by members were made.
- 11 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 1 be postponed until later this day.
- 12 **JUSTICE LEGISLATION AMENDMENT (UNLAWFUL ASSOCIATION AND CRIMINAL APPEALS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Kairouz*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 13 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 14 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.24 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 197 — Wednesday 5 September 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Road Safety Measures on Toorak Road** — Requesting that the Legislative Assembly calls on the Government to implement appropriate road safety measures along Toorak Road, Camberwell, bearing 809 signatures (*Mr Watt*)
- Penalties for Substance Abuse Drivers** — Requesting that the Legislative Assembly calls on the Government to legislate harsher penalties for drivers who have been found guilty of driving under the influence of drugs and subsequently reoffend, bearing 209 signatures (*Mr Burgess*)
- Swan Hill Hospital** — Requesting that the Legislative Assembly calls on the Government to fund and rebuild the Swan Hill Hospital by the end of 2022, bearing 2385 signatures (*Mr Walsh*)
- Capel Caravan Park** — Requesting that the Legislative Assembly calls on the Government to take steps to assist residents of Capel Caravan Park in Capel Sound to find alternative affordable accommodation and investigate protection for tenants against financial loss should they choose to relocate following the recent sale of the caravan park, bearing 28 signatures (*Mr Dixon*)
- GovHub in Ballarat** — Requesting that the Legislative Assembly calls on the Government to redesign the proposed GovHub in Ballarat to include the entire existing Lower Hall or build the GovHub on another site, bearing 285 signatures (*Ms Knight*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 171 signatures (*Ms Spence*)

Bus Service along Donnybrook Road — Requesting that the Legislative Assembly calls on the Government to fund and commence a bus service from estates along Donnybrook Road to Craigieburn railway station and Craigieburn Central shopping centre, bearing 111 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — CAPEL CARAVAN PARK** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

4 **DOCUMENTS**

IBAC COMMITTEE — Mr Wells, Chair, presented a report from the IBAC Committee on The work of the IBAC Committee of the 58th Parliament: a reflection, together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER AN ACT OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with an Act of Parliament:

Auditor-General:

Crime Data — Ordered to be published

Follow Up of Oversight and Accountability of Committees of Management — Ordered to be published

Police Management of Property and Exhibits — Ordered to be published.

- 5 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 6 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Electoral Matters Committee's Report on the Inquiry into civics and electoral participation in Victorian state parliamentary elections

Electoral Matters Committee's Report on the Inquiry into the conduct of the 2014 Victorian State Election

Public Accounts and Estimates Committee's Report on the 2015–16 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into career advice activities in Victorian schools

Family and Community Development Committee's Report on the Inquiry into perinatal services

Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes.

- 7 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

8 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

9 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

10 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to provide for an increase in the guaranteed level of funding for rural, regional, outer suburban and interface communities from Better Roads Victoria funding and to ensure that such funding is not reduced over time by a reduction in the total funding pool' (*Mr Hodgett*) — and, after debate —

Business having been interrupted at 2.00 pm under sessional orders.

11 **DISCUSSION OF MATTER OF PUBLIC IMPORTANCE — COST OF LIVING** — The House was informed that Mr Smith (Warrandyte) had proposed that a definite matter of public importance be submitted to the House for discussion, namely —

'That this House condemns the Andrews Labor Government for boasting about Victoria being in "The Best of Times" while presiding over crippling rises in cost of living including:

- (1) unprecedented rises in electricity costs;
- (2) record costs for natural gas;
- (3) twelve new or increased taxes; and
- (4) signing Victorian motorists up for crippling increases and extended tolls.'

Mr Smith (Warrandyte) addressed the House — Discussion followed.

12 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Debate continued on question — That this Bill be now read a second time — and on the amendment.

Motion made and question — That the debate be now adjourned (*Ms Hutchins*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*);

Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Ordered — That the debate be adjourned until later this day.

- 13 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Long Service Benefits Portability Bill 2018 with amendments.

Motion made and question — That the amendments be taken into consideration immediately (*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 36

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 14 **LONG SERVICE BENEFITS PORTABILITY BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

Motion made and question — That the following amendments be agreed to:

- 1 Clause 2, line 10, omit "April" and insert "July".
- 2 Clause 3, page 4, line 25, omit all words and expressions on this line.
- 3 Clause 5, omit this clause.
- 4 Clause 75, line 9, omit "The" and insert "A".
- 5 Clause 75, lines 10 and 11, omit "after the 3rd anniversary of the commencement of this Act" and insert—
"after—
(a) the 3rd anniversary of the commencement of this Act; and
(b) the 7th anniversary of the commencement of this Act".
- 6 Clause 75, line 13, omit "the" and insert "each".

7 Insert the following New Clause to follow clause 81—

"AA Amendment of Long Service Leave Act 2018

- (1) Section 3(2) of the **Long Service Leave Act 2018** is repealed.
- (2) In section 12(1) of the **Long Service Leave Act 2018** omit "even though in a strict legal sense it could be said that the employee's employment was interrupted".
- (3) For section 12(7), (8) and (9) of the **Long Service Leave Act 2018** substitute—
 - "(7) An employee's employment is taken to be continuous despite the employer standing down the employee—
 - (a) during industrial action if the employee cannot be usefully employed because of the industrial action; or
 - (b) because of a breakdown of machinery or equipment for which the employer cannot reasonably be held responsible if the employee cannot be usefully employed because of the breakdown; or
 - (c) because of a stoppage of work for any cause for which the employer cannot reasonably be held responsible if the employee cannot be usefully employed because of the stoppage.
 - (8) An employee's employment is taken to be continuous despite any interruption arising directly or indirectly from an industrial dispute."
- (4) In section 12 of the **Long Service Leave Act 2018**—
 - (a) in subsection (10), for "(10)" substitute "(9)";
 - (b) in subsection (11)—
 - (i) for "(11)" substitute "(10)";
 - (ii) for "(10)" substitute "(9)".
- (5) In section 14 of the **Long Service Leave Act 2018**—
 - (a) in paragraph (c), for ", (8) or (9)." substitute "(a), (b) or (c)";
 - (b) after paragraph (c) insert—
 - "(d) an interruption described in section 12(8).".

8 Clause 82, omit this clause.

9 Schedule 1, page 66, lines 18 to 20, omit all words and expressions on these lines and insert—

"(2) *Community service work* does not include—

- (a) an activity that is funded by the National Disability Insurance Scheme within the meaning of the National Disability Insurance Scheme Act 2013 of the Commonwealth, unless such an activity, or class of activity, is prescribed to be community service work; or

- (b) a service provided by an entity that is a licensed children's service under the **Children's Services Act 1996** or an approved provider under the Education and Care Services National Law (Victoria), unless such a service, or class of service, is prescribed to be community service work; or
- (c) an activity, or class of activity, prescribed not to be community service work."
- 10 Schedule 1, page 66, lines 24 to 31, omit all words and expressions on these lines and insert—
- "(a) a non-profit entity that employs one or more individuals to perform community service work; or".
- 11 Schedule 1, page 70, line 11, omit "15" and insert "14".
- 12 Schedule 1, page 70, line 13, omit "clause 16 specifies".
- 13 Schedule 1, page 71, lines 21 and 22, omit "worker's service period is taken to be continuous" and insert "period of absence is taken to be a day of service for crediting service".
- 14 Schedule 1, page 75, lines 3 to 33, page 76, lines 1 to 35 and page 77, lines 1 to 22, omit all words and expressions on these lines.
- 15 Schedule 1, page 77, line 25, before "The" insert "(1)".
- 16 Schedule 1, page 77, line 26, omit "referred to in clause 14".
- 17 Schedule 1, page 78, line 25, omit "assets." and insert "assets;".
- 18 Schedule 1, page 78, after line 25 insert—
- "(f) any other period of absence that the employer and worker agree to being credited as days of service of the worker.
- (2) Any periods of absence from work other than a period referred to in subclause (1) are taken not to be days of service for the purpose of crediting the days of service of a worker for the community services sector."
- 19 Schedule 1, page 78, lines 26 to 35 and page 79, lines 1 to 18, omit all words and expressions on these lines.
- 20 Schedule 2, page 85, line 22, omit "22" and insert "21".
- 21 Schedule 2, page 85, line 24, omit "clause 23 specifies".
- 22 Schedule 2, page 86, lines 35 and 36, omit "an employee's service period is taken to be continuous" and insert "a period of absence is taken to be a day of service for crediting service".
- 23 Schedule 2, page 94, lines 19 to 34, page 95, lines 1 to 35, page 96, lines 1 to 35 and page 97, lines 1 to 17, omit all words and expressions on these lines.
- 24 Schedule 2, page 97, line 21, omit "referred to in clause 21".
- 25 Schedule 2, page 98, line 22, omit "assets." and insert "assets;".

- 26 Schedule 2, page 98, after line 22 insert—
- "(f) any other period of absence that the employer and worker agree to being credited as days of service of the worker.
- (2) Any periods of absence from work other than a period referred to in subclause (1) are taken not to be days of service for the purpose of crediting the days of service of a worker for the contract cleaning industry."
- 27 Schedule 2, page 98, line 23, omit "(2)" and insert "(3)".
- 28 Schedule 2, page 98, lines 30 to 36 and page 99, lines 1 to 21, omit all words and expressions on these lines.
- 29 Schedule 2, page 100, line 23, omit "24" and insert "22".
- 30 Schedule 3, page 106, line 22, omit "22" and insert "21".
- 31 Schedule 3, page 106, line 24, omit "clause 23 specifies".
- 32 Schedule 3, page 107, lines 35 and 36, omit "an employee's service period is taken to be continuous" and insert "a period of absence is taken to be a day of service for crediting service".
- 33 Schedule 3, page 115, lines 14 to 34, page 116, lines 1 to 34, page 117, lines 1 to 34 and page 118, lines 1 to 15, omit all words and expressions on these lines.
- 34 Schedule 3, page 118, line 19, omit "referred to in clause 21".
- 35 Schedule 3, page 119, line 18, omit "assets." and insert "assets;".
- 36 Schedule 3, page 119, after line 18 insert—
- "(f) any other period of absence that the employer and worker agree to being credited as days of service of the worker.
- (2) Any periods of absence from work other than a period referred to in subclause (1) are taken not to be days of service for the purpose of crediting the days of service of a worker for the security industry."
- 37 Schedule 3, page 119, line 19, omit "(2)" and insert "(3)".
- 38 Schedule 3, page 119, lines 26 to 31 and page 120, lines 1 to 21, omit all words and expressions on these lines.
- 39 Schedule 3, page 121, line 25, omit "24" and insert "22".

(Ms Hutchins) — and, after debate —

Amendment No 9 — Amendments proposed:

- 1 In proposed subclause (2) omit paragraph (a) and insert—
- "(a) a service or support provided to a person with a disability that is, or is of a type that could be, funded or provided under the National Disability Insurance Scheme within the meaning of the National Disability Insurance Scheme Act 2013 of the Commonwealth; or".

- 2 After paragraph (a) in proposed subclause (2) insert—
- "() a disability service within the meaning of section 3(1) of the **Disability Act 2006**; or
- () an employment service within the meaning of section 7 of the Disability Services Act 1986 of the Commonwealth; or".
- 3 In paragraph (b) in proposed subclause (2), omit ", unless such a service, or class of service, is prescribed to be community service work".

Further amendment proposed:

- 4 Schedule 1, page 68, lines 23 to 28, omit paragraph (b) and insert—
- "() if the employer is a community health centre registered under section 48 of the **Health Services Act 1988**—an individual employed by the employer, unless—
- (i) the individual's role is to carry out community service work at the community health centre; and
- (ii) the individual does not have a long service leave entitlement under a fair work instrument or an applicable award-derived long service leave entitlement within the meaning of the Fair Work Act;".

(*Mr Clark*) — and, after debate —

Motion made and question — That the question be now put (*Ms Allan*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That amendment Nos 1 to 8 inclusive be agreed to — accordingly put and agreed to.

Question — That Mr Clark's amendment Nos 1 to 3 inclusive be agreed to — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Question — That amendment No 9 be agreed to — accordingly put and agreed to.

Question — That amendment Nos 10 to 39 inclusive be agreed to — accordingly put and agreed to.

Question — That Mr Clark's amendment No 4 be agreed to — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 34

Mr Angus; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

NOES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Richardson; Ms Sandell; Mr Scott; Ms Sheed; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

Question defeated.

Message sent to the Legislative Council informing them accordingly.

Business having been interrupted at 7.00 pm under sessional orders.

Motion made and question — That the sitting be continued (*Ms Allan*) — put and agreed to.

15 **PREVENTION OF FAMILY VIOLENCE BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.

After debate, the amendments were agreed to.

Message sent to the Legislative Council informing them accordingly.

- 16 **VICTIMS AND OTHER LEGISLATION AMENDMENT BILL 2018** — Order read for the consideration of the amendment made by the Legislative Council.

After debate, the amendment was agreed to.

Message sent to the Legislative Council informing them accordingly.

- 17 **POSTPONEMENT OF REMAINING BUSINESS** — Motion made and question — That the consideration of remaining business be postponed (*Mr Pakula*) — put and agreed to.
- 18 **ADJOURNMENT** — The Speaker left the Chair, after debate, at 7.35 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 198 — Thursday 6 September 2018

- 1 The Speaker took the Chair and read the Prayer.

- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:

Public Housing at Walker Street in Northcote — Requesting that the Legislative Assembly calls on the Government to — (a) halt further attempts to relocate Walker Street public housing estate residents; (b) abandon the Government's privatisation program and instead implement a refurbishment program and investigate the building of more public housing units on site; and (c) support an increase in public housing in Victoria to provide homes for the 83,000 people on the public housing waiting list, bearing 383 signatures (*Ms Thorpe*)

Wangaratta Drug and Alcohol Residential Rehabilitation Service — Requesting that the Legislative Assembly calls on the Government to consult with the community regarding the location of the Drug and Alcohol Residential Rehabilitation facility in Wangaratta before proceeding with its development, bearing 60 signatures (*Mr McCurdy*)

Inverleigh Wind Farm — Requesting that the Legislative Assembly calls on the Minister for Planning to decline a permit and not authorise the construction of the Inverleigh Wind Farm, bearing 303 signatures (*Mr Riordan*).

Petitions ordered to be tabled.

- 3 **PETITION — PUBLIC HOUSING AT WALKER STREET IN NORTHCOTE** — Motion made and question — That the petition presented by the Member for Northcote be taken into consideration tomorrow (*Ms Thorpe*) — put and agreed to.
- 4 **PETITION — WANGARATTA DRUG AND ALCOHOL RESIDENTIAL REHABILITATION SERVICE** — Motion made and question — That the petition presented by the Member for Ovens Valley be taken into consideration tomorrow (*Mr McCurdy*) — put and agreed to.
- 5 **PETITION — INVERLEIGH WIND FARM** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

- 6 **PETITION — PENALTIES FOR SUBSTANCE ABUSE DRIVERS** — Motion made and question — That the petition presented by the Member for Hastings on 5 September 2018 be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 7 **PETITION — ROAD SAFETY MEASURES ON TOORAK ROAD** — Motion made and question — That the petition presented by the Member for Burwood on 5 September 2018 be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.
- 8 **DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT** — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Independent Broad-based Anti-corruption Commission — Report to the Minister for Police under s 70N of the *Sex Offenders Registration Act 2004* — Ordered to be published

Ombudsman — Investigation of allegations referred by Parliament's Legal and Social Issues Committee, arising from its inquiry into youth justice centres in Victoria — Ordered to be published

Statutory Rules under the following Acts:

Corrections Act 1986 — SR 116
Serious Offenders Act 2018 — SR 115
Tobacco Act 1987 — SR 117.

- 9 **PRODUCTION OF DOCUMENTS** — Motion made, by leave, and question — That, in relation to the documents tabled in the Assembly on Tuesday 4 September 2018 under SO 171 in response to the order of the House of 29 March 2018, this House gives the Speaker the power to remove from the Assembly's records any private and confidential documents that do not relate to the order of the House of 29 March 2018 ordering the production of documents and that are brought to the Speaker's request (*Ms Allan*) — and, after debate —

Amendment proposed — That all the words after 'That' be omitted with the view of inserting in their place the words 'so much of the orders of the House of 29 March and 23 August 2018 related to the production of documents under SO 171 be rescinded —

- (1) so far as to stop the documents being tabled and published;
- (2) the House orders that those documents be removed from the records of the Assembly; and
- (3) the protection provided by the *Constitution Act 1975* to the publication of those documents remains'

(*Mr Walsh*) — and, after debate —

Motion made and question — That the question be now put (*Mr Eren*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That the words proposed to be omitted stand part of the question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 47

Ms Allan; Mr Andrews; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkeny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — put and agreed to.

10 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until Tuesday 18 September 2018 (*Ms Allan*) — put and agreed to.

11 **STATEMENT BY MEMBER** — A statement by a member was made.

Business having been interrupted at 11.00 am under sessional orders.

12 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

13 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

14 **STATEMENTS BY MEMBERS** — Statements by members were made.

15 **CENSURE OF LEADER OF THE OPPOSITION** — Motion made and question — That this House:

(1) Censures the Leader of the Opposition for using \$3.5 million of taxpayers' money as ransom to avoid having to explain his role in the Ventnor scandal, potentially committing the crime of misconduct in public office; and

(2) Calls on him to immediately resign and pay back the money he stole

(*Mr Merlino*) — and, after debate —

Motion made and question — That the question be now put (*Ms D'Ambrosio*) — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Original question — accordingly put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 37

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 16 **SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Allocation of time — The Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 4 September 2018 had expired.

Question — That this Bill be now read a second time — put and agreed to.

Question — That this Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time — *and on the amendment* — That all the words after 'That' be omitted with the view of inserting in their place the words 'this Bill be withdrawn and redrafted to provide for an increase in the guaranteed level of funding for rural, regional, outer suburban and interface communities from Better Roads Victoria funding and to ensure that such funding is not reduced over time by a reduction in the total funding pool'.

Question — That the words proposed to be omitted stand part of the question — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 48

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Hibbins; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Ms Sandell; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Thorpe; Ms Ward; Ms Williams; Mr Wynne.

NOES 38

Mr Angus; Ms Asher; Mr Battin; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **TREASURY AND FINANCE LEGISLATION AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **JUSTICE LEGISLATION AMENDMENT (UNLAWFUL ASSOCIATION AND CRIMINAL APPEALS) BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 82

Ms Allan; Mr Andrews; Mr Angus; Ms Asher; Mr Battin; Ms Blandthorn; Ms Britnell; Mr Bull (*Gippsland East*); Mr Bull (*Sunbury*); Mr Burgess; Mr Carbines; Mr Carroll; Mr Clark; Ms Couzens; Mr Crisp; Ms D'Ambrosio; Mr Dimopoulos; Mr Dixon; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Mr Foley; Mrs Fyffe; Ms Garrett; Mr Gidley; Ms Graley; Ms Green; Mr Guy; Ms Halfpenny; Ms Hennessy; Mr Hodgett; Mr Howard; Ms Hutchins; Ms Kairouz; Mr Katos; Ms Kealy; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McCurdy; Mr McGuire; Ms McLeish; Mr Merlino; Mr Morris; Mr Nardella; Ms Neville; Mr Noonan; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Pakula; Mr Pallas; Mr Paynter; Mr Pearson; Mr Perera; Mr Pesutto; Mr Richardson; Mr Riordan;

Ms Ryall; Ms Ryan; Mr Scott; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Spence; Mr Staikos; Ms Staley; Ms Suleyman; Ms Thomas; Mr Thompson (*Sandringham*); Ms Thomson (*Footscray*); Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Ms Ward; Mr Watt; Mr Wells; Ms Williams; Mr Wynne.

NOES 4

Mr Hibbins; Ms Sandell; Ms Sheed; Ms Thorpe.

Question agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.13 pm under sessional orders.

- 20 **ADJOURNMENT** — The Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 5.40 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

VOTES AND PROCEEDINGS Nos 199, 200 and 201

No 199 — Tuesday 18 September 2018

- 1 The House met according to the adjournment — The Speaker took the Chair, read the Prayer and made an acknowledgement of Country.
 - 2 **DEATH OF DETECTIVE SENIOR SERGEANT VIC KOSTIUK** — The Speaker announced the death of Detective Senior Sergeant Vic Kostiuk; and members rose in their places as a mark of respect to the memory of the deceased.
 - 3 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).
 - 4 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).
 - 5 **IBAC DEPUTY COMMISSIONER** — The Speaker advised that, on 13 September 2018, he administered to Kathryn Elizabeth Miller, the Deputy Commissioner, Independent Broad-based Anti-corruption Commission, the oath required by s 31 of the *Independent Broad-based Anti-corruption Commission Act 2011*.
 - 6 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
 - Bairnsdale Secondary College** — Requesting that the Legislative Assembly calls on the Government to fund stage two of Bairnsdale Secondary College, bearing 291 signatures (*Mr Bull, Gippsland East*)
 - Wire Rope Barriers** — Requesting that the Legislative Assembly calls on the Government to stop the rollout of wire rope barriers across Victorian roads until safety concerns are addressed and a strategic approach adopted, bearing 36 signatures (*Mr Bull, Gippsland East*)
 - Commercial Fishing Licences** — Requesting that the Legislative Assembly calls on the Government not to enforce any further compulsory buyouts of commercial fishing licences against the will of those who hold a commercial licence and that any buyout schemes be voluntary only, bearing 554 signatures (*Mr Bull, Gippsland East*)
 - Ambulance Services in Rochester** — Requesting that the Legislative Assembly calls on the Government to consult with the community and immediately review the level of ambulance services in Rochester, bearing 34 signatures (*Mr Walsh*)
 - Sandringham College** — Requesting that the Legislative Assembly calls on the Government to provide funding of \$47 million to Sandringham College for the rebuilding of the structures and facilities for the Bluff Road Campus and Holloway Road Campus, bearing 3158 signatures (*Mr Thompson, Sandringham*).
- Petitions ordered to be tabled.
- 7 **PETITION — SANDRINGHAM COLLEGE** — Motion made and question — That the petition presented by the Member for Sandringham be taken into consideration tomorrow (*Mr Thompson, Sandringham*) — put and agreed to.

8 DOCUMENTS

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — End of term report for the 58th Parliament together with appendices tabled by leave (*Mr Pearson*).

Ordered to be published.

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE — Mr Howard, Chair, presented a report from the Law Reform, Road and Community Safety Committee on the Inquiry into the Crimes Amendment (Unlicensed Drivers) Bill 2018, together with appendices.

Ordered to be tabled and published.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — Mr Pearson, Chair, presented a report from the Public Accounts and Estimates Committee on the 2018–19 Budget Estimates, together with an appendix, minority report and transcripts of evidence.

Ordered to be tabled and the report, appendix and minority report published.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — Ms Blandthorn, Chair, presented the Alert Digest No 14 of 2018 from the Scrutiny of Acts and Regulations Committee on the:

Corrections Amendment (Adult Parole Board) Bill 2018
Crimes and Sentencing Amendment (Bus Drivers) Bill 2018

together with appendices.

Ordered to be tabled and published.

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Interpretation of Legislation Act 1984 — Notices under s 32(3)(a)(iii) in relation to:

Statutory Rules 103 (*Gazette G33, 16 August 2018*), 118 (*Gazette G37, 13 September 2018*)
Waste Management Policy (Combustible Recyclable and Waste Materials) (*Gazette G37, 13 September 2018*)

Ombudsman — Investigation of three protected disclosure complaints regarding Bendigo South East College — Ordered to be published

Statutory Rules under the following Acts:

Child Wellbeing and Safety Act 2005 — SR 119
Livestock Disease Control Act 1994 — SR 118
Road Safety Act 1986 — SR 120

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 116, 118, 120

Documents under s 16B in relation to the *Transport (Compliance and Miscellaneous) Act 1983* — Specification of Railway Stations for the Purposes of the Definition of 'Compulsory Ticket Area'.

The following proclamations fixing operative dates were tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Children Legislation Amendment (Information Sharing) Act 2018 — Part 2 (except ss 10, 13 and 14), Part 3 (except s 16), and Division 3 of Part 5 — 27 September 2018 (*Gazette S405, 4 September 2018*)
Parks Victoria Act 2018 — Whole Act — 12 September 2018 (*Gazette S386, 21 August 2018*)
Racing Amendment (Integrity and Disciplinary Structures) Act 2018 — Whole Act (except s 6 and Parts 3, 5 and 6) — 1 September 2018 (*Gazette S400, 28 August 2018*).

- 9 **MESSAGES FROM THE LEGISLATIVE COUNCIL** — Agreeing to the following bills without amendment:

Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018
 Residential Tenancies Amendment Bill 2018.

- 10 **MESSAGES FROM THE GOVERNOR — ASSENT TO BILLS** — Informing the Legislative Assembly that she had given the royal assent to the following bills, presented to her by the Acting Clerk of the Parliaments:

On 11 September 2018
 Prevention of Family Violence Bill 2018
 Victims and Other Legislation Amendment Bill 2018

On 18 September 2018
 Electricity Safety Amendment (Electrical Equipment Safety Scheme) Bill 2018
 Long Service Benefits Portability Bill 2018
 Residential Tenancies Amendment Bill 2018.

- 11 **GOVERNMENT BUSINESS PROGRAM** — Motion made and question — That, under SO 94(2), the Orders of the Day, Government Business, relating to the following bills be considered and completed by 5.00 pm on Thursday 20 September 2018:

Essential Services Commission (Governance, Procedural and Administrative Improvements) Amendment Bill 2018
 Mineral Resources (Sustainable Development) Amendment Bill 2018
 Open Courts and Other Acts Amendment Bill 2018
 Sale of Land Amendment Bill 2018

(*Ms Allan*) — after debate, put.

The House divided (the Speaker, Mr Brooks, in the Chair) —

AYES 44

Ms Allan; Mr Andrews; Ms Blandthorn; Mr Bull (*Sunbury*); Mr Carbines; Mr Carroll; Ms Couzens; Ms D'Ambrosio; Mr Dimopoulos; Mr Donnellan; Mr Edbrooke; Ms Edwards; Mr Eren; Ms Garrett; Ms Graley; Ms Green; Ms Halfpenny; Ms Hennessy; Mr Howard; Ms Hutchins; Ms Kairouz; Ms Kilkenny; Ms Knight; Mr Languiller; Mr Lim; Mr McGuire; Mr Merlino; Mr Nardella; Ms Neville; Mr Noonan; Mr Pakula; Mr Pallas; Mr Pearson; Mr Perera; Mr Richardson; Mr Scott; Ms Spence; Mr Staikos; Ms Suleyman; Ms Thomas; Ms Thomson (*Footscray*); Ms Ward; Ms Williams; Mr Wynne.

NOES 42

Mr Angus; Ms Asher; Mr Battin; Mr Blackwood; Ms Britnell; Mr Bull (*Gippsland East*); Mr Burgess; Mr Clark; Mr Crisp; Mr Dixon; Mrs Fyffe; Mr Gidley; Mr Guy; Mr Hibbins; Mr Hodgett; Mr Katos; Ms Kealy; Mr McCurdy; Ms McLeish; Mr Morris; Mr Northe; Mr O'Brien (*Gippsland South*); Mr O'Brien (*Malvern*); Mr Paynter; Mr Pesutto; Mr Riordan; Ms Ryall; Ms Ryan; Ms Sandell; Ms Sheed; Mr Smith (*Kew*); Mr Smith (*Warrandyte*); Mr Southwick; Ms Staley; Mr Thompson (*Sandringham*); Ms Thorpe; Mr Tilley; Ms Victoria; Mr Wakeling; Mr Walsh; Mr Watt; Mr Wells.

Question agreed to.

- 12 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 13 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Ms Hennessy*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 14 **SALE OF LAND AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Motion made and question — That the debate be now adjourned (*Mr Wynne*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 15 **POSTPONEMENT OF ORDER OF THE DAY** — Ordered — That the consideration of Government Business, Order of the Day, No 3 be postponed until later this day.
- 16 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 17 **ADJOURNMENT** — The Deputy Speaker, having announced that the time for the adjournment of the House had arrived, left the Chair, after debate, at 7.20 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 200 — Wednesday 19 September 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Canterbury Road Heathmont Railway Bridge** — Requesting that the Legislative Assembly calls on the Government to replace the fence on the Canterbury Road Heathmont Railway Bridge with something stronger and safer, bearing 398 signatures (*Ms Victoria*)
- Destination Queenscliff Project** — Requesting that the Legislative Assembly calls on the Government to withhold any funding toward the proposed 10 tourist lodgings and the 40 seat cafe components of the Destination Queenscliff Project, bearing 1080 signatures (*Ms Neville*)
- Retirement Living and Assisted Care Industry** — Requesting that the Legislative Assembly calls on the Government to appoint an Ombudsman for the retirement living and assisted care industry to oversee and ensure that the rights of elderly and vulnerable residents are protected and issues between residents and retirement village operators are resolved expeditiously and in a dignified manner, bearing 892 signatures (*Mr Angus*)

AGL Floating Gas Terminal, Crib Point — Requesting that the Legislative Assembly calls on the Government to reject AGL's proposal to transport liquid natural gas to a Floating Storage Regasification Unit moored to Crib Point jetty on Westernport Bay, bearing 262 signatures (*Mr Burgess*)

Barwon Downs Borefield at Gerangamete — Requesting that the Legislative Assembly calls on the Government to stop groundwater extraction from the Barwon Downs Borefield at Gerangamete and that no further licence be issued for this practice, bearing 512 signatures (*Mr Riordan*)

Police in South Barwon and Geelong — Requesting that the Legislative Assembly calls on the Government to commit to providing additional police for the South Barwon and Geelong community, bearing 2929 signatures (*Mr Katos*)

Bike Lanes on High Street, Belmont — Requesting that the Legislative Assembly calls on the Government to reconsider the proposal for bike lanes on High Street in Belmont, bearing 418 signatures (*Mr Katos*)

Ballarat Rail Line Level Crossings — Requesting that the Legislative Assembly calls on the Government to fast track the removal of Ballarat line level crossings at Robinsons Road and Station Road, Deer Park and Fitzgerald Road, Sunshine West, bearing 4711 signatures (*Ms Suleyman*)

Duplication of Mickleham Road — Requesting that the Legislative Assembly begins planning for the duplication of Mickleham Road from Somerton Road to Craigieburn Road, bearing 71 signatures (*Ms Spence*).

Petitions ordered to be tabled.

- 3 **PETITION — BALLARAT RAIL LINE LEVEL CROSSINGS** — Motion made and question — That the petition presented by the Member for St Albans be taken into consideration tomorrow (*Ms Suleyman*) — put and agreed to.
- 4 **PETITION — AGL FLOATING GAS TERMINAL, CRIB POINT** — Motion made and question — That the petition presented by the Member for Hastings be taken into consideration tomorrow (*Mr Burgess*) — put and agreed to.
- 5 **PETITION — DESTINATION QUEENSCLIFF PROJECT** — Motion made and question — That the petition presented by the Member for Bellarine be taken into consideration tomorrow (*Ms Couzens*) — put and agreed to.
- 6 **PETITION — CANTERBURY ROAD HEATHMONT RAILWAY BRIDGE** — Motion made and question — That the petition presented by the Member for Bayswater be taken into consideration tomorrow (*Ms Victoria*) — put and agreed to.
- 7 **PETITION — RETIREMENT LIVING AND ASSISTED CARE INDUSTRY** — Motion made and question — That the petition presented by the Member for Forest Hill be taken into consideration tomorrow (*Mr Angus*) — put and agreed to.
- 8 **PETITION — POLICE IN SOUTH BARWON AND GEELONG** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.
- 9 **PETITION — BIKE LANES ON HIGH STREET, BELMONT** — Motion made and question — That the petition presented by the Member for South Barwon be taken into consideration tomorrow (*Mr Katos*) — put and agreed to.

- 10 **PETITION — BARWON DOWNS BOREFIELD AT GERANGAMETE** — Motion made and question — That the petition presented by the Member for Polwarth be taken into consideration tomorrow (*Mr Riordan*) — put and agreed to.

11 **DOCUMENTS**

PARLIAMENTARY DEPARTMENTS — Reports 2017–18 of the Department of the Legislative Assembly and the Department of Parliamentary Services tabled by leave (*Ms Thomson, Footscray*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Auditor-General:

Delivering Local Government Services — Ordered to be published
 Managing the Environmental Impacts of Domestic Wastewater — Ordered to be published
 Security and Privacy of Surveillance Technologies in Public Places — Ordered to be published

Ombudsman — Report 2017–18 — Ordered to be published

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rule 119

Victorian Law Reform Commission — Review of the *Victims of Crime Assistance Act 1996* — Ordered to be published.

The following proclamation fixing an operative date was tabled by the Acting Clerk in accordance with an order of the House dated 24 February 2015:

Prevention of Family Violence Act 2018 — Whole Act — 4 October 2018 (*Gazette S433, 18 September 2018*).

- 12 **MESSAGE FROM THE LEGISLATIVE COUNCIL** — Agreeing to the Justice Legislation Miscellaneous Amendment Bill 2018 with amendments.

Ordered — That the amendments be taken into consideration later this day.

- 13 **STATEMENTS BY MEMBERS** — Statements by members were made.

- 14 **STATEMENTS ON PARLIAMENTARY COMMITTEE REPORTS** — Statements were made on the following Committee Reports:

Public Accounts and Estimates Committee's End of term report for the 58th Parliament

Public Accounts and Estimates Committee's Report on the 2018–19 Budget Estimates

Economic, Education, Jobs and Skills Committee's Report on the Inquiry into career advice activities in Victorian schools

IBAC Committee's Report on the Inquiry into the external oversight of police corruption and misconduct in Victoria

Public Accounts and Estimates Committee's Report on the 2017–18 Budget Estimates.

15 **SUSPENSION OF STANDING AND SESSIONAL ORDERS** — Motion made and question — That so much of standing and sessional orders be suspended on Thursday 20 September 2018 to allow:

- (1) Business to be interrupted at 12.00 noon;
- (2) Valedictory statements from retiring members for up to 15 minutes each; and
- (3) Any business under discussion at the time of interruption and not completed to be resumed immediately after the statements and any member speaking at the time of the interruption to continue their speech

(*Ms Allan*) — put, after debate, and agreed to.

16 **AMENDMENT TO STANDING AND SESSIONAL ORDERS** — Motion made and question — That:

- (1) The following new standing order be inserted after Standing Order 233 —

'234 Rebroadcasting

Rebroadcast of an official broadcast is permitted, subject to the following conditions:

- (1) The material must only be used for the purposes of fair and accurate reports of proceedings and must not in any circumstances be used for:
 - (a) satire or ridicule; or
 - (b) commercial sponsorship or commercial advertising.
- (2) Broadcast material must not be digitally manipulated.
- (3) Excerpts of proceedings are to be placed in context so as to avoid any misrepresentation.
- (4) Remarks withdrawn are not to be rebroadcast unless the withdrawal is also rebroadcast.;
- (2) Sessional Order 15 be deleted; and
- (3) These changes are to come into operation with immediate effect

(*Ms Allan*) — put, after debate, and agreed to.

17 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Business having been interrupted at 11.00 am under sessional orders.

18 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

19 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

20 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — Debate resumed on question — That this Bill be now read a second time.

Business having been interrupted at 2.00 pm under sessional orders.

21 **GRIEVANCES** — Question — That grievances be noted — put, after debate, and agreed to.

- 22 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — Debate continued on question — That this Bill be now read a second time.
- Motion made and question — That the debate be now adjourned (*Mr Noonan*) — put and agreed to.
- Ordered — That the debate be adjourned until later this day.
- 23 **SUSPENSION OF STANDING ORDERS AND PRACTICES OF THE HOUSE** — Motion made, by leave and question — That so much of standing orders and practices of the House be suspended to allow the Assembly to consider the Council amendments to the Justice Legislation Miscellaneous Amendments Bill 2018 regardless of any irregularities with the clause numbering in the Bill (*Mr Pakula*) — put, after debate, and agreed to.
- 24 **JUSTICE LEGISLATION MISCELLANEOUS AMENDMENT BILL 2018** — Order read for the consideration of the amendments made by the Legislative Council.
- After debate, the amendments were agreed to.
- Message sent to the Legislative Council informing them accordingly.
- 25 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.
- Business having been interrupted at 7.00 pm under sessional orders.*
- 26 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 7.25 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

No 201 — Thursday 20 September 2018

- 1 The Speaker took the Chair and read the Prayer.
- 2 **PETITIONS** — The Acting Clerk announced that the following petitions had been lodged for presentation:
- Glen Eira Open Space** — Requesting that the Legislative Assembly calls on the Government to put a stop to anything that will further eat up precious opportunities for open space in Glen Eira, bearing 851 signatures (*Mr Staikos*)
- Blackburn Road and Railway Road Roundabout in Blackburn** — Requesting that the Legislative Assembly calls on the Government to improve safety at the Blackburn Road and Railway Road roundabout intersection in Blackburn, bearing 79 signatures (*Mr Clark*)
- Repeal of the Voluntary Assisted Dying Act 2017** — Requesting that the Legislative Assembly calls on the Government to introduce and pass a Bill for an Act to repeal the *Voluntary Assisted Dying Act 2017*, bearing 450 signatures (*Mr Watt*)

Penalties for Substance Abuse Drivers — Requesting that the Legislative Assembly calls on the Government to legislate harsher penalties for drivers who have been found guilty of driving while under the influence of drugs and subsequently reoffend, bearing 158 signatures (*Mr Burgess*)

Additional Frontline Police — Requesting that the Legislative Assembly calls on the Government to commit to providing additional frontline police, bearing 18 signatures (*Mr Burgess*)

St Dunstan's Kindergarten — Requesting that the Legislative Assembly calls on the Government and VicRoads to reduce the speed limit outside St Dunstan's Kindergarten on Wattle Road, Camberwell to 40 km/h, bearing 38 signatures (*Mr Pesutto*)

Baimbridge College, Hamilton — Requesting that the Legislative Assembly calls on the Government to provide funding to enable redevelopment and site consolidation works at Baimbridge College in Hamilton, bearing 66 signatures (*Ms Kealy*)

Warracknabeal Education Precinct — Requesting that the Legislative Assembly calls on the Government to provide funding to enable the Warracknabeal Education Precinct to be completed, bearing 309 signatures (*Ms Kealy*)

Walmer Street Bridge — Requesting that the Legislative Assembly calls on the Government to fund a replacement of the Walmer Street Bridge with a contemporary design that meets the current standards and the needs of the growing number of users, bearing 3080 signatures (*Mr Smith, Kew*)

Capel Caravan Park — Requesting that the Legislative Assembly calls on the Government to take steps to assist residents of Capel Caravan Park in Capel Sound to find alternative affordable accommodation and investigate protection for tenants against financial loss should they choose to relocate following the recent sale of the caravan park, bearing 19 signatures (*Mr Dixon*)

Metro Notification Bells and Announcements — Requesting that the Legislative Assembly calls on the Government to direct Metro to delete the notification bells from the start of announcements and reduce the volume of announcements at stations on the skyrail between Caulfield and Dandenong, bearing 30 signatures (*Ms Staley*).

Petitions ordered to be tabled.

3 **PETITION — REPEAL OF THE VOLUNTARY ASSISTED DYING ACT 2017** — Motion made and question — That the petition presented by the Member for Burwood be taken into consideration tomorrow (*Mr Watt*) — put and agreed to.

4 **PETITION — CAPEL CARAVAN PARK** — Motion made and question — That the petition presented by the Member for Nepean be taken into consideration tomorrow (*Mr Dixon*) — put and agreed to.

5 **PETITION — ST DUNSTAN'S KINDERGARTEN** — Motion made and question — That the petition presented by the Member for Hawthorn be taken into consideration tomorrow (*Mr Pesutto*) — put and agreed to.

6 **DOCUMENTS**

CONSUMER POLICY RESEARCH CENTRE — Report 2017–18 tabled by leave (*Ms Kairouz*).

GOVERNMENT RESPONSE TO THE PENALTY RATES AND FAIR PAY SELECT COMMITTEE'S FINAL REPORT — Tabled by leave (*Ms Hutchins*).

DOCUMENTS TABLED UNDER ACTS OF PARLIAMENT — The Acting Clerk tabled the following documents in accordance with Acts of Parliament:

Accident Compensation Conciliation Service — Report 2017–18

Adult, Community and Further Education Board — Report 2017–18

Agriculture Victoria Services Pty Ltd — Report 2017–18

Albury Wodonga Health — Report 2017–18

Alexandra District Health — Report 2017–18

Alfred Health — Report 2017–18

AMES Australia — Report 2017–18

Auditor-General:

Contract Management Capability in DHHS: Service Agreements — Ordered to be published
Report 2017–18

State Purchase Contracts — Ordered to be published

Austin Health — Report 2017–18

Australian Centre for the Moving Image — Report 2017–18

Australian Grand Prix Corporation — Report 2017–18

Ballarat General Cemeteries Trust — Report 2017–18

Ballarat Health Services — Report 2017–18

Barwon Region Water Corporation — Report 2017–18

Bass Coast Health — Report 2017–18

Benalla Health — Report 2017–18

Bendigo Cemeteries Trust — Report 2017–18

Bendigo Health Care Group — Report 2017–18

Casterton Memorial Hospital — Report 2017–18

CenITex — Report 2017–18

Central Gippsland Region Water Corporation — Report 2017–18

Central Highlands Region Water Corporation — Report 2017–18

City West Water Corporation — Report 2017–18

Cohuna District Hospital — Report 2017–18

Coliban Region Water Corporation — Report 2017–18

Commission for Children and Young People — Report 2017–18 — Ordered to be published

Commissioner for Privacy and Data Protection — Report 2017–18 — Ordered to be published

Community Visitors — Report 2017–18 under s 35 of the *Disability Act 2006*, s 224 of the *Mental Health Act 2014* and s 195 of the *Supported Residential Services (Private Proprietors) Act 2010* — Ordered to be published

Confiscation Act 1997:

Asset Confiscation Operations — Report 2017–18
Report 2017–18 under s 139A

Consumer Affairs Victoria — Report 2017–18 — Ordered to be published

Corangamite Catchment Management Authority — Report 2017–18

Coronial Council of Victoria — Report 2017–18

Dairy Food Safety Victoria — Report 2017–18

Dental Health Services Victoria — Report 2017–18

Djerriwarrh Health Services — Report 2017–18

Docklands Studios Melbourne Pty Ltd — Report 2017–18

East Gippsland Catchment Management Authority — Report 2017–18

East Gippsland Region Water Corporation — Report 2017–18

East Grampians Health Service — Report 2017–18

Eastern Health — Report 2017–18

Echuca Regional Health — Report 2017–18

Education and Training, Department of — Report 2017–18

Emergency Services Superannuation Scheme — Report 2017–18

Environment, Land, Water and Planning, Department of — Report 2017–18

Essential Services Commission — Report 2017–18

Evidence (Miscellaneous Provisions) Act 1958 — Report 2017–18 under s 42BI

Film Victoria — Report 2016–17 (*in lieu of report previously tabled on Tuesday 21 September 2017*)

Film Victoria — Report 2017–18

Financial Management Act 1994:

Financial Report for the State of Victoria 2017–18, incorporating Quarterly Financial Report No 4 — Ordered to be published

Reports from the Minister for Agriculture that she had received the reports 2017–18 of:

Phytogene Pty Ltd
Veterinary Practitioners Registration Board of Victoria
Victorian Strawberry Industry Development Committee
Report from the Minister for Women that she had received the Report 2017–18 of the Queen Victoria Women's Centre Trust

Forensic Leave Panel — Report 2017

Geelong Cemeteries Trust — Report 2017–18

Geelong Performing Arts Centre Trust — Report 2017–18

Geoffrey Gardiner Dairy Foundation Ltd — Report 2017–18

Gippsland and Southern Rural Water Corporation — Report 2017–18

Glenelg Hopkins Catchment Management Authority — Report 2017–18

Goulburn Broken Catchment Management Authority — Report 2017–18

Goulburn Murray Rural Water Corporation — Report 2017–18

Goulburn Valley Health — Report 2017–18

Goulburn Valley Region Water Corporation — Report 2017–18

Grampians Wimmera Mallee Water Corporation — Report 2017–18

Greater Metropolitan Cemeteries Trust — Report 2017–18

Harness Racing Victoria — Report 2017–18

Health Complaints Commissioner — Report 2017–18

Health Purchasing Victoria — Report 2017–18

Heathcote Health — Report 2017–18

Hesse Rural Health Service — Report 2017–18

Infrastructure Victoria — Report 2017–18

Judicial Entitlements Panel — Own Motion Recommendations to the Attorney-General, August 2018

Justice and Regulation, Department of — Report 2017–18

Kardinia Park Stadium Trust — Report 2017–18

Kilmore and District Hospital — Report 2017–18

Latrobe Valley Mine Rehabilitation Commissioner — Report 2017–18

Legal Practitioners' Liability Committee — Report 2017–18

Library Board of Victoria — Report 2017–18

Local Jobs First — Victorian Industry Participation Policy — Report 2017–18

Lower Murray Urban and Rural Water Corporation — Report 2017–18

Mallee Catchment Management Authority — Report 2017–18

Maryborough District Health Service — Report 2017–18

Melbourne and Olympic Parks Trust — Report 2017–18

Melbourne Health — Report 2017–18

Melbourne Port Lessor Pty Ltd — Report 2017–18

Melbourne Recital Centre — Report 2017–18

Melbourne Water Corporation — Report 2017–18

Members of Parliament (Register of Interests) Act 1978 — Summary of Returns June 2018 and Summary of Variations Notified between 10 July 2018 and 14 September 2018 — Ordered to be published

Mental Health Tribunal — Report 2017–18

Mercy Hospitals Victoria Ltd — Report 2017–18

Mildura Cemetery Trust — Report 2017–18

Monash Health — Report 2017–18

Museums Board of Victoria — Report 2017–18

National Gallery of Victoria — Report 2017–18

National Parks Act 1975 — Report 2017–18 on the working of the Act

National Parks Advisory Council — Report 2017–18

North Central Catchment Management Authority — Report 2017–18

North East Catchment Management Authority — Report 2017–18

North East Region Water Corporation — Report 2017–18

Northeast Health Wangaratta — Report 2017–18

Northern Health — Report 2017–18

Numurkah District Health Service — Report 2017–18

Orbost Regional Health — Report 2017–18

Otway Health — Report 2017–18

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2016–17 Financial and Performance Outcomes

Peninsula Health — Report 2017–18

Peter MacCallum Cancer Centre — Report 2017–18

Phillip Island Nature Parks — Report 2017–18

Police Registration and Services Board — Report 2017–18

Port of Hastings Development Authority — Report 2017–18

Port Phillip and Westernpoint Catchment Management Authority — Report 2017–18

Portland District Health — Report 2017–18

Premier and Cabinet, Department of — Report 2017–18

PrimeSafe — Report 2017–18

Public Interest Monitor — Report 2017–18

Public Record Office Victoria — Report 2017–18

Public Transport Development Authority — Report 2017–18

Racing Integrity Commissioner — Report 2017–18

Radiation Advisory Committee — Report 2017–18

Renewable Energy (Jobs and Investment) Act 2017 — Victorian Renewable Energy Target 2017–18 Progress Report

Residential Tenancies Bond Authority — Report 2017–18

Road Safety Camera Commissioner — Report 2017–18

Roads Corporation — Report 2017–18

Robinvale District Health Service — Report 2017–18

Rolling Stock Holdings (Victoria) Pty Ltd — Report 2017–18

Rolling Stock (Victoria-VL) Pty Ltd — Report 2017–18

Rolling Stock (VL-1) Pty Ltd — Report 2017–18

Rolling Stock (VL-2) Pty Ltd — Report 2017–18

Rolling Stock (VL-3) Pty Ltd — Report 2017–18

Royal Botanic Gardens Board Victoria — Report 2017–18

Royal Victorian Ear and Eye Hospital — Report 2017–18

Royal Women's Hospital — Report 2017–18

Seymour Health — Report 2017–18

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- Shrine of Remembrance Trustees — Report 2017–18
- South East Water Corporation — Report 2017–18
- South Gippsland Region Water Corporation — Report 2017–18
- South West Healthcare — Report 2017–18
- Southern Metropolitan Cemeteries Trust — Report 2017–18
- St Vincent's Hospital (Melbourne) Ltd — Report 2017–18
- State Electricity Commission of Victoria — Report 2017–18
- Statutory Rules under the following Acts:
- County Court Act 1958* — SR 134
- Crown Land (Reserves) Act 1978* — SR 122
- Forests Act 1958* — SRs 123, 124
- National Parks Act 1975* — SRs 125, 126
- Subordinate Legislation Act 1994* — SR 121
- Supreme Court Act 1986* — SRs 131, 132, 133
- Transport Superannuation Act 1988* — SR 130
- Water Industry Act 1994* — SR 127
- Wildlife Act 1975* — SRs 128, 129
- Stawell Regional Health — Report 2017–18
- Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rules 121, 130, 131, 132, 133, 134, 137
- Surveillance Devices Act 1999* — Reports 2017–18 under s 30L (three reports)
- Swan Hill District Health — Report 2017–18
- Terrorism (Community Protection) Act 2003* — Report 2017–18 under s 13ZR
- Timboon and District Healthcare Service — Report 2017–18
- Transport Accident Commission — Report 2017–18
- Treasury and Finance, Department of — Report 2017–18
- Treasury Corporation of Victoria — Report 2017–18
- Victims of Crime Assistance Tribunal — Report 2017–18
- Victims of Crime Commissioner — Report 2017–18
- Victoria Grants Commission — Report 2017–18
- Victoria Police — Report 2017–18
- Victorian Arts Centre Trust — Report 2017–18
- Victorian Assisted Reproductive Treatment Authority — Report 2017–18

Victorian Broiler Industry Negotiation Committee — Report 2017–18

Victorian Catchment Management Council — Report 2017–18

Victorian Coastal Council — Report 2017–18

Victorian Commission for Gambling and Liquor Regulation — Report 2017–18

Victorian Curriculum and Assessment Authority — Report 2017–18

Victorian Electoral Commission — Report 2017–18

Victorian Environmental Water Holder — Report 2017–18

Victorian Funds Management Corporation — Report 2017–18

Victorian Government Purchasing Board — Report 2017–18

Victorian Information Commissioner, Office of — Report 2017–18

Victorian Inspectorate — Report 2017–18

Victorian Institute of Forensic Mental Health — Report 2017–18

Victorian Institute of Teaching — Report 2017–18

Victorian Legal Services Board and the Victorian Legal Services Commissioner — Report 2017–18 —
Ordered to be published

Victorian Managed Insurance Authority — Report 2017–18

Victorian Pharmacy Authority — Report 2017–18

Victorian Planning Authority — Report 2017–18

Victorian Ports Corporation (Melbourne) — Report 2017–18

Victorian Public Sector Commission — Report 2017–18

Victorian Rail Track — Report 2017–18

Victorian Regional Channels Authority — Report 2017–18

Victorian Registration and Qualifications Authority — Report 2017–18

Victorian Responsible Gambling Foundation — Report 2017–18

Victorian Small Business Commission — Report 2017–18 — Ordered to be published

Victorian Veterans Council — Report 2017–18

Victorian WorkCover Authority — Report 2017–18

Wannon Region Water Corporation — Report 2017–18

West Gippsland Catchment Management Authority — Report 2017–18

West Wimmera Health Service — Report 2017–18

Western Health — Report 2017–18

Western Region Water Corporation — Report 2017–18

Westernport Region Water Corporation — Report 2017–18

Wimmera Catchment Management Authority — Report 2017–18

Wimmera Health Care Group — Report 2017–18

Yarra Valley Water Corporation — Report 2017–18

Youth Parole Board — Report 2017–18.

7 **SITTING OF THE HOUSE** — Motion made and question — That the House, at its rising, adjourns until a day and hour to be fixed by the Speaker, which time of meeting shall be notified in writing to each member of the House (*Ms Allan*) — put and agreed to.

8 **STATEMENTS BY MEMBERS** — Statements by members were made.

9 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time; debate resumed.

Business having been interrupted at 11.00 am under sessional orders.

10 **QUESTIONS AND MINISTERS' STATEMENTS** — (Under sessional orders).

11 **CONSTITUENCY QUESTIONS** — (Under Sessional Order 7).

12 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Debate continued on question — That this Bill be now read a second time.

Business having been interrupted at 12.00 noon in accordance with the resolution of the House on Wednesday 19 September 2018.

13 **VALEDICTORY STATEMENTS** — Retiring members made valedictory statements.

14 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Resumption on question — That this Bill be now read a second time.

Motion made and question — That the debate be now adjourned (*Mr Pakula*) — put and agreed to.

Ordered — That the debate be adjourned until later this day.

15 **POSTPONEMENT OF ORDERS OF THE DAY** — Ordered, after debate — That the consideration of Government Business, Orders of the Day, Nos 2 to 4 inclusive, be postponed until later this day.

16 **OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Bill read a second time and considered in detail (*for remaining stages see p 955*).

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 18 September 2018 had expired.

Question — That clause 1 stands part of the Bill — put and agreed to.

Question — That clauses 2 to 16 inclusive stand part of the Bill, the Bill be agreed to without amendment, and the Bill be now read a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 17 **ESSENTIAL SERVICES COMMISSION (GOVERNANCE, PROCEDURAL AND ADMINISTRATIVE IMPROVEMENTS) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 18 **SALE OF LAND AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

- 19 **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2018** — Order read for resuming debate on question — That this Bill be now read a second time.

Question — That this Bill be now read a second time and a third time — put and agreed to.

Bill sent to the Legislative Council and their agreement requested.

Business having been interrupted at 5.02 pm under sessional orders.

- 20 **ADJOURNMENT** — The Acting Speaker announced that the time for the adjournment of the House had arrived and, after debate, the Speaker left the Chair at 5.33 pm.

BRIDGET NOONAN
Acting Clerk of the Legislative Assembly

COLIN BROOKS MP
Speaker

LEGISLATIVE ASSEMBLY OF VICTORIA

CONSIDERATION IN DETAIL
Supplement to Votes Nos 199, 200 and 201

No 201 — Thursday 20 September 2018

OPEN COURTS AND OTHER ACTS AMENDMENT BILL 2018

Clause 1 — debate commenced.

Allocation of time — The Acting Speaker advised that the time allocated for consideration of bills under the resolution of the House on Tuesday 18 September 2018 had expired (for remaining stages see p 954).